

UNIVERSAL
LIBRARY



127 248

UNIVERSAL
LIBRARY

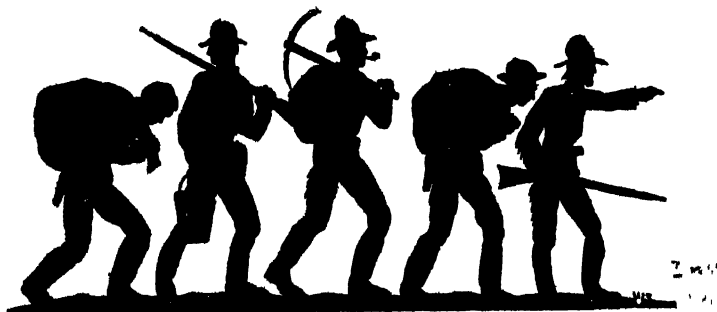
The
Hell-roarin'
Forty-Niners



MOUNTAIN STAGES AT THE TERMINUS OF THE CENTRAL PACIFIC RAIL
Courtesy of the Southern Pacific Rail

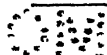
The Hell-roarin' Forty-Niners

By
Robert Welles Ritchie



J. H. SEARS & COMPANY, Inc.
Publishers New York

THE HILL-RAGARIN' FORTY-NINERS



COPYRIGHT, 1928, BY

J. H. SEARS & CO., INCORPORATED

MANUFACTURED COMPLETELY BY THE
KINGSPORT PRESS
KINGSPORT, TENNESSEE
United States of America

TO
JEAN KNIGHT RITCHIE

CONTENTS

CHAPTER	PAGE
1. GOLD LAKE	3
2. LAND OF ENCHANTED SLEEP . . .	15
3. ROUGH AND READY	25
4. GRASS VALLEY	39
5. THE LUCK OF MICHAEL BRENNAN . .	61
6. NEVADA CITY	71
7. DOWNIEVILLE	89
8. THE HANGING OF JUANITA	105
9. THE TEVIS-LIPPINCOTT DUEL . . .	119
10. ROADS TO GOLD	133
11. STRANGE STRIKES	157
12. ISHMAELITES	171
13. THE SAGE BRUSH WAR	193
14. THE STORY OF LUCKY BILL	215
15. CONCERNING BALD-HEADED WHIZZERS .	233
16. GHOST TOWNS	255
17. ALBUM OF PORTRAITS	273

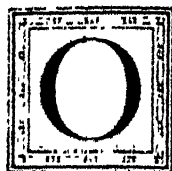
LIST OF ILLUSTRATIONS

	PAGE
Mountain stages at the terminus of the Central Pacific at Colfax, 1867 <i>Frontispiece</i>	
All that is left of Rough and Ready, which once seceded from the Union	20
Hydraulic monitor in action	20
The woolly town of Cisco in 1868	52
The last of the mountain house on the Downieville stage road	100
The Downieville stage	100
Twelve-horse team and freight wagons	148
Old-time freight wagon at Bullard's Bar toll bridge	148
When the newly built Central Pacific touched a mining camp in the Sixties	180
A quiet game in Dad Gould's saloon, Gibsonville .	228
Main Street in a ghost town of the Northern Mines	260
Old stage house in the ghost town of North San Juan	260
"Killed in the diggings," June 22, 1854	260

Gold Lake

Chapter 1

GOLD LAKE



ON a night in late autumn of the year 1849 the boys of Downie's Flat, newest and most remote gold camp on the North Fork of Yuba River, were gathered in Bill McGhee's tent saloon drinking Bill's "corn-meal fixin's." This was a mixture of raw corn meal, brandy and water stirred in a pan and served hot by the provident McGhee at one ounce of gold dust—\$16—the pan. Not exorbitant when you stop to consider that Bill McGhee possessed not only the sole supply of brandy in the camp but the only sack of corn meal in thirty miles.

Gritty was Bill McGhee's drink: gritty when it went down but—s'archin'!

That yellow ball of light glowing through the canvas walls of McGhee's saloon was the only light in the gorge of North Fork for fifteen miles east or west—fifteen God-forsaken miles over up-and-down trail. The walls of the cañon lifted five thousand feet on either side of this glowing spot, not a rattle shot apart. Already early snows had mantled the crests in promise of what was to come the next

The Hell-roarin' Forty-niners

four months. Thunder of North Fork over its rocks. Howl of the rising wind through the wooly boughs of spruce. Aye, the boys of Downie's Flat needed all the corn-meal fixin's they could absorb to stave off the shape of dread lurking o' nights in this wild new land called California.

Among the boys who thus stuccoed their interiors against the promise of a hard winter whooping down the gorge were William Downie, called Major for no reason whatever—he was a Scotch sailor who'd jumped his ship down in San Francisco Bay; Cut-Eye Foster, horse trader and packer from Bullard's Bar down river; Jim Crow, the Kanaka who boasted himself a cousin to King Kamehameha of the Sandwich Islands; five "free niggers" the canny Downie had attached to himself when first he set out from the settlements down below to pioneer new placers.

For several months this oddly assorted company—Scotch, Irish, Polynesian, negro—had been living in the silence. They had been whittling raw gold with the point of butcher knives out of the rim rock above the river bed. With butcher knives! Sometimes as high as \$300 a day to the man.

Perhaps they were a little insane as a consequence.

The corn meal and the brandy were just securing firm anchorage on stomach follicles when the dark of the gorge spawned a stranger. He came staggering, crusted with ice and gaunt with hunger. He lurched into the tent where the brandy smell was

Gold Lake

blooming: the first invader of a jealously kept secret of gold beyond dreams. By his clothes the drinkers of the fixin's could set him down instantly as an "emigrant"; in those days the term was synonymous with our current "boob"—disdainful.

"Set down, stranger. Have a drink. Whar' from?"

The waif wolfed his tin cup of fixin's, then feebly waved in the direction of one of the black cliffs shutting in this oasis of life. His gesture indicated out country where no man of them had been; where no white man had been—for theirs was the frontier of pioneering, so they thought.

Major Downie and his Sandwich Islander and his Irish barkeep fed the pitiful stranger a hunk of Downie's Flat's last cow, lined his interior with corn meal and brandy; and when he was well organized they got his story.

The stranger gave his name as Robert Stoddard. He said he hailed from Philadelphia. His wagon train came across the plains without incident; but at the Humboldt Sink somebody told the captain of a new and easier route over the mountains—the Jim Beckwourth Pass. His outfit took the Beckwourth trail. Nothing but hard luck followed and near Big Meadows, somewhere up north, the train ran out of meat. He and a single companion went out on a hunt—for deer were plentiful—and they lost themselves. They wandered in a wilderness of strange peaks for several days. Attempting to fol-

The Hell-roarin' Forty-niners

low the downward course of a stream—Stoddard guessed it might be the Río de las Plumas—he and his partner came to a little lake ten or fifteen acres in area.

“There we stopped to drink and, gentlemen, when we leaned over the edge of the water we saw gold nuggets lying in the moss. Gold, I tell you, gentlemen—scattered everywhere like common pebbles.”

Better believe that this revelation of the starved stranger brought another pan of \$16 corn-meal fixin's—on the house.

“We filled our pockets, gentlemen. We filled a knapsack I was carrying. We weighed ourselves down with coarse gold and nuggets from that lake shore, though we were well-nigh starving. Then we started following a stream flowing out of that Lake of Gold, after first marking the peaks and the lay of the surrounding country.

“Next day a bunch of Indians jumped us.” Stoddard rolled up one trousers leg to show a wound where he said an arrowhead had speared him. “I admit in the excitement I played the dog and ran, leaving my partner to look out for himself. I don't know exactly where I ran. I remember throwing away some of the gold I had in the knapsack— and after that the knapsack itself so I could run faster.

“After that, gentlemen all, I say frankly I don't remember much. Nearly freezing at nights—lost in a strange country—eating grubs and roots like the bears——”

Gold Lake

Stoddard broke off his narrative and reached into a pocket. His hand came out filled with water-worn gold pebbles, some of them as big as pigeon's eggs. His hand dripped and dribbled gold.

"This is all I've got to prove my story," he finished.

The drinkers of McGhee's corn-meal fixin's went a little more daft than they were, at sight of this seeming verification of the stranger's Midas tale. In '49 and afterwards men in the California gold camps, whatever their luck, always were eager to get some clew to the "Source of Gold"—to the spot where gold might be picked up like spilled corn from a sack. In high excitement Downie and the Kanaka who was cousin to a king pressed the Philadelphian for more definite location of the Lake of Gold. Stoddard grew cagey. He was, he said, going to make his way down to San Francisco. Before the Indian attack he and his pal had agreed that if they should become separated from one another each would make for that central rendezvous. Perhaps this pal had been mercifully spared; if so, together they would return to the Sierras in the spring and relocate the treasure lake.

Stoddard went down the Yuba river trail next day, leaving a fine ferment in the Downie's Flat gold camp. Some of the boys were for starting at once over the ridges to the north where the Río de las Plumas flowed; but there were not supplies enough in camp to last the winter there on North Fork, to

The Hell-roarin' Forty-niners

say nothing of sky-hooting over wilder country. Finally Jim Crow, the Kanaka, and one of the free niggers were despatched down river to rustle grub at Bullard's Bar; if they could get it, all of Downie's Flat would take to the tall hills in search for the Lake of Gold.

Neither of the twain returned that winter. Major Downie and the others nearly starved before they broke a way through to Goodyear's Bar and succor. For them there was no following the blazing beacon lighted by Robert Stoddard of Philadelphia.

Following spring when the snows were going Stoddard appeared in the big camp farther down the mountains known as Deer Creek Dry Diggin's—later Nevada City—and attempted secretly to interest twenty-five men in his project to find and work Gold Lake. He succeeded in all but secrecy. For Yuba River had buzzed the story of fabulous riches passed down river by Downie's men until all the Northern Mines were jumpy. When Stoddard and his party left on the mystery trail half Deer Creek camp followed. Before they had crossed Middle Fork of Yuba five hundred pop-eyed dreamers were in their train, unasked and unshakable. Men who were panning their fifteen and twenty ounces a day or "crevicing" that much out of stream banks with butcher knives and iron spoons whooped into line.

Picture this mad cavalcade: afoot, on mule back, some pushing barrows; weighted down with rockers, grub, pickaxes. All sky-rocketing through

Gold Lake

strange and savage country in the train of a single Pied Piper who piped to gold.

No trail beyond North Fork and the ultimate placer camp. Cliffs like church steeples to be scaled somehow. Grizzly bears stampeding the livestock nightly. Torrents sweeping away mules and men at the crossings. Grub failing. Yes, and in the wake of the pioneer party the excitement mounted and spread. Men far south along the Mokulumne and American rivers heard the whisper, "Gold Lake," and headed north. Prices of provisions in Sacramento and Marysville, down country, soared.

"Gold Lake! The Source of Gold!"

Old Timers of to-day who had the tale from their dads will tell you, chuckling, of the dénouement.

The original party headed by Stoddard—his mythical partner never appeared—and with all the five hundred-odd "ringers" pushed through virgin country into what is now called Sierra Valley, a high cup near Sierra crest; there wandered and backtracked and floundered through snow water while Stoddard looked vainly for landmarks. Mutiny grew with the pinch of privation. Stoddard was a humbug, the murmur spread. Stoddard was planning to lose them all and then come upon the precious lake alone.

Finally open revolt.

The stampeders had spent three miserable days in a little gorge, held up by rains which made all the creeks impassable. What started as an angry argu-

The Hell-roarin' Forty-niners

ment over one of the breakfast fires developed with a suddenness typical of the day into a miner's meeting of all the boomers. In that time of no courts and only the most shadowy law in this surging outland of California the miner's meeting compressed all arms of government into one.

Robert Stoddard was summoned to answer for himself before this extempore court. Clay Allison, a Southerner with a gift of "slingin' langwidge," was appointed prosecutor.

"I charge you, Robert Stoddard, with deliberately misleading and beguiling half a thousand honest men away from their firesides and into this fearsome wilderness by giving currency to a monstrous lie."

Now arises this Philadelphia man Stoddard. A city man, born to streets and crowds. As far out of his orbit here in this grim corridor of the high Sierras as an earthling on Mars.

"Gentlemen, it was none of my doings that more than twenty-five associates joined in this venture. To them alone I am responsible, not to hundreds. They have my sworn word of a gentleman that I will lead them, God willing, to Gold Lake. I am attempting to do that now——"

The jury of twelve retired to reach their decision. It came bluntly: If Stoddard did not lead the way to Gold Lake within forty-eight hours he would be strung up.

That night the condemned man slipped out of the

Gold Lake

circle of camp fires and lost himself in the wilderness. He never was seen again in the Northern Mines.

Perhaps Robert Stoddard was insane. Many were in that year of '50. But he was not too insane to know how a hangman's noose would feel about a city man's soft throat.

The duped gold seekers, waking to find themselves cheated even of a scapegoat, did the only reasonable thing—perhaps the instinctive thing. They began prospecting the streams round about this valley—called Last Chance Valley in memoriam of the missing Stoddard. One man turned over a large stone in a gravel bar and got \$256 in his first pan of dirt from beneath it. Straightway that spit was dubbed Rich Bar and became one of the heaviest gold producers in all the California fields. Camps mushroomed all over the headwaters of the Río de las Plumas (Feather River) and in short time a new county, Plumas, was cut out of the wilderness.

But what of Robert Stoddard's story of Gold Lake? Did any truth lie behind it?

That question never has been answered. Even today there are a few old prospectors—"river rats" in the colloquial tongue of the country—puttering around the scoured diggin's; they are dead sure some time they'll stumble onto Gold Lake. "Never can tell. Maybe a landslide come down an' filled it after Stoddard and his podner filled their pockets

The Hell-roarin' Forty-niners

an' their knapsack. Fella might hit onto the edge of that slide an' tunnel it to the old lake bed. . . ."

Rich Bar—the Valley of Stoddard's Last Chance. . . .

To-day some old mountain man will direct you to them in the manner of one giving a chart to a lost country.

There a purple valley of silence. Great heaps of stones over which lizards scamper mark a gold frenzy of three-quarters of a century gone. Here and there moldering logs which once were foundations and walls of habitations—aye, of cities, as the easy phrase of the Argonauts had it.

And the wind through the wooly boughs of second growth spruce whispers: "My sworn word of a gentleman that I will lead them, God willing, to Gold Lake."

Land of Enchanted Sleep

Chapter 2

LAND OF ENCHANTED SLEEP



YES, the creeping forest green has reclaimed for its own the Valley of Stoddard's Last Chance, obliterating by its mists of spruce feathers nearly every vestige of man's furious activity. Cathedral silence of the deep woods has buried the echoes of a wild crew at labor in Rich Bar's golden gravels. The scene has merged with the wider terrain of the Days of Gold, all up and down the Sierra's accordion pleats, to be part of a vast panorama heroically conceived.

Aye, like those panoramas which used to delight and instruct Grandpa and Grandma when the last quarter of their honeymoon brought them from Niagara Falls to New York: "See the Battle of Gettysburg for fifty cents; where Illusion defies the Eye!" But this cyclorama of the Days of Gold is roofed by the sky instead of shingles or slate. The circumference of its painted scene is measured in hundreds of miles rather than feet. Even though the years have dimmed the colors and here and there the canvas is tattered, yet does Illusion still defy the Eye.

Here are ghost towns needing but the touch of magic to fling back their green iron shutters and

The Hell-roarin' Forty-niners

boil anew with the life that had them dizzy three-quarters of a century ago: Poker Flat, Brandy City, Rough and Ready—hell-roarin' camps. Here are great pits of the hydraulic diggin's, naked in the midst of a green wilderness and come upon with a catch of surprise; let Illusion have her way and suddenly the floors of those pits are peopled with red-shirted gold grubbers; the hiss of water jets and the roar of crumbling mountain scarps fill the ear. Where the Yuba boils over its skull-like bowlders a stretch of placer flume white with age may of a sudden straighten its swayed back and commence to flicker with the paddles of the "Chinee wheels" driven by a ghostly green tide; men in pits sunk to bed rock beneath the flume's struts send up buckets of gold gravel to be washed through the riffles.

This is California's Land of Enchanted Sleep.

Massachusetts, with reverent solemnity, shows the tourist Plymouth Rock and takes a sight of pride to herself over possession of this stepping stone to Brahmanism. Virginia has her Mount Vernon and Monticello. Even South Dakota now proudly displays a trout stream where a President fished with worm bait. But until recently California never thought of showing the tourist this Land of Enchanted Sleep, where once one of the greatest dramas in the world's history was played. This because present-day California had forgotten the Mother that bore her.

When the Argonauts had drained the Sierra

Land of Enchanted Sleep

streams of their placer gold in the Fifties and Sixties, and when in the early Eighties a Federal Court prohibited the moving of gold-bearing gravel mountains down into the valleys by hydraulic streams, the tide of life shifted from the gold camps to the fruit and grain lands of the great central basin; to the orange groves of the South; to the upbuilding of great commercial centers in San Francisco and Los Angeles. Then, with new pulses of life passing them by, the old hell-roarin' towns of the Argonauts went into their sleep. Green iron shutters were closed for the last time over banks where gold dust used to be weighed by scales. Folks moved their most portable belongings; leaving behind them in many instances treasures to delight the eye of modern antique hunters. A few Old Timers, beguiled by the somnolent sunshine of the mountains and the marsh-light of the Big Strike they still might make, remained.

Some towns survived, supported either by steadily paying deep mines in quartz veins or by dribbles of taxes coming to them as county seats. The others became ghosts, either entirely deserted or with their original thousands reduced to scant handfuls of tens and twenties.

And the new, lusty California forgot them. Forgot to lay the modern network of automobile highways past the doors of taverns where once baskets of eggs were not as common as baskets of champagne. Forgot to include in its beguilements for the ever-

The Hell-roarin' Forty-niners

blooming hardy tourist such spots—reeking romance—as Rough and Ready, which once declared its independence of the United States; Downieville, where the beautiful Juanita was hanged by a mob.

Yet, I insist, through this Land of Enchanted Sleep once strode Jason the Seeker and in his train a pageant of life to match anything the world has produced of bold enterprise and colorful folk drama. The lineaments of this giant of adventure remain true to the life to-day, preserved by the spice of balsam brewed in suave sunshine.

Travelers of present time bound for California over the central transcontinental line may note, as they descend the western slope, names of stations which are little more than section crew camps: Emigrant Gap, Dutch Flat, Gold Run. They may catch a single glimpse of a long white slash hewn through the mountains. These names, this hydraulic cut represent the southern outposts of a territory roughly seventy or a hundred miles square which in the three years following the Gold Lake stampede yielded in the neighborhood of forty millions in gold. The Northern Mines this district was called back in Argonaut days.

North of the railroad and between Sierra crest and the Sacramento Valley lie the three forks of the Yuba, flowing east to west; beyond them the Feather with its three main branches running up to perpetual snow above the 7000 foot level. From this area the placers and the hydraulic diggin's once yielded so

Land of Enchanted Sleep

great a flow of gold that the Republic could be kept solvent in the darkest days of the Rebellion. In this area, and another to the south which remains outside the present writer's stretch of reminiscent calipers, was born that Gold Legend which was the flaming torch of all nineteenth century annals.

Days of Gold! So far behind our hurrying twentieth century; with its mail sky-ships crossing in thirty-six hours those plains which took dreadful toll of months from pioneers of the prairie schooners; with a President's speech in Washington caught hot from his lips by flat dwellers in San Francisco. . . .

Yet not so far behind in terms of association. Your Uncle Abner laid the foundation of investments which yield you your annual dividends by his work on a thirty-foot claim on Greenhorn Creek. Your Grandpa Billings walked across the Great Plains as a boy with an ox goad in his hands. Your wife's great-aunt has a sheaf of yellowed letters dated from such outlandish places as Gouge Eye and You Bet.

Why, in truth, this ghost land of old gold through which I would lead you on a personally conducted tour—skipping genie-like over gulfs of years—lies just around the corner from the very newest California realtor's bedizened notice of subdivision.

Say that I catch you fresh from the East and with the dazzle of California's countryside in spring still in your eyes. It may be at Sacramento, the capital

The Hell-roarin' Forty-niners

city, or in one of the opulent little cities of a rice and fruit empire east or north of Sacramento. Wide paved streets. Bronze light standards along the main thoroughfares—a chamber-of-commerce, self-conscious gesture. Doric banks and schools housed in snappy Spanish haciendas of hollow tile and steel. All pitched to the very latest whisper of modernity.

Out on the road now, the broad cement ribbon of state highway. A road bearing east and a little north straight for that barrier of snow-tipped blue filling all the eastern horizon: the Sierras. At every crossroads a huddle of that commerce peculiar to our present day gasoline caravaning: Aunt Jennimah's Barbecued Sandwich; Sunny Jim's Auto Camp; palm-thatched booths over baskets of early strawberries, jars of honey, spotless eggs; filling stations; open-air dance platforms which offer on Saturday nights preachers' texts for following Sundays. Striding down across the countryside from the distant mountains are steel towers of the power companies carrying energy and light to cities about San Francisco Bay.

All this is of the restless, vibrant To-day.

Now the highway begins to lift to a series of undulations where the first low waves of the foothills come down from the Sierras, and all the sun drenched knolls are stippled in the pink and white of fruit blossoms. Acres of bloom are left behind as the hills grow taller. In place of the tilled lands



ALL THAT IS LEFT OF ROUGH AND READY, WHICH ONCE
SECEDED FROM THE UNION.



HYDRAULIC MONITOR IN ACTION.

(From photograph taken in 1893.)

Land of Enchanted Sleep

are thickets of manzanita, little glades of oaks, their trunks aflame with the cardinal leaves of climbing poison plants, here and there a melancholy Digger pine gray as death. The opulent cities are behind us now; they and their electric arches with "Welcome To Biggsville" spanning the highway. Here where the cement ribbon twists and writhes over increasing grades and there is silence and the brooding of wooded ridges; here is the frontier of the Land of Enchanted Sleep.

Wait; we stop here. See that long snake of piled cobbles and water-worn bowlders twisting through the low scrub? Like a New England stone fence; but wider at the base and with no conscious artistry in the piling.

That line of stones represents the detritus of old ground sluicings of the Rough and Ready diggin's. We have come to our cyclorama of The Ghosts of Old Gold. Aye, the door opens to us here at Rough and Ready and we have a hundred miles and more to swing around the circle of a painted canvas. A hundred miles and more of the shapes of illusion caught and held incorruptible by the balsamic air of the Sierras.

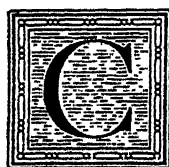
"Stranger, thar's gold in them hills!" The old haunting cry comes down the wind from the piney ridge behind Rough and Ready diggin's.

Aye, gold. Ghost gold. Come and dig for it!

Rough and Ready

Chapter 3

ROUGH AND READY



AST back to late summer of '49.

Blazing sun over these rounded hills of oak and scrub pine gives a torrid heat. Smell in the air of slow exuding resin and fallen needles and wild hay withering in the glades. Jacob birds squawking from the tips of the Digger pines. Quail whistling their new families about them under the low shadows of manzanita against the forays of skulking coyotes. Buzzards wheeling in the high blue. This is the wilderness.

There to westward, which is Valleyward, a red cloud of dust lifts like a plume in windless vacancy above slumbering hills. The core of that red dust cloud is a string of prairie schooners inching up the new road from Nye's Ranch in the Valley to the new gold diggin's; ten—twelve—of these creaking hooded wagons, each with its ribbed canvas funnel top boldly painted on both sides: "Rough and Ready Emigrant Company; Shellsburg, Wisconsin." Named, you see, after old Rough-and-Ready Zach. Taylor, so recently the Thunderer of the Cordilleras and now President of the United States away back yonder over deserts and mountains.

The Hell-roarin' Forty-niners

The leading wagon, which is the Captain's, comes to a rude store made of a ship's mains'l propped by new-cut pine struts over boxes and barrels and a counter serving as a bar. Tired oxen stop in their tracks at the Captain's word.

"Whar we at, stranger?" His hail is to the man in shirt sleeves smoking his corn-cob at his ease before the open face of his store.

"They calls this Anthony House," is the store-keeper's drawled answer. "Fust and richest god-dam camp in the Sy-erra diggin's. Iffen you're lookin' fer anybody in especial you'll find 'em over yander in Deer Crick up to their middles in snow water.

"Climb down from yore perch, stranger. Git yore men an' come have a drink on H. Q. Roberts, at yore sarvice."

To the Captain's hail the rest of the male adults of the Rough and Ready Emigrant Company clam-ber down from their high seats and crowd under the tilted flap of the mains'l sheltering the rude bar. Theirs is the mounting excitement of journey's end, of coming at last to the tip of that rainbow which has sustained them in a golden hope all the way across the plains from Shellsburg, Wisconsin. Maybe the first drink is on the house; but there are others consciously taken in payment for first-hand information on the diggin's: where to go for the newest strike, the biggest chances.

"Well, gents all, this here Anthony House dig-

Rough and Ready

gin's paid purty well at fust." Mr. H. Q. Roberts, storekeeper, is following the jealous rote of all the Sierra diggin's which prompted shunting off all newcomers. "But up the road a spell at a place called Boston Gulch, just unkivered, the boys're git-tin' right smart pans. An' 'tween here an' thar they's been a coupla rich strikes on Squirrel Crick just the last three-four days. Iffen I didn't have this store an' this here stock of val-able lick-er, I'd jump me to Squirrel Crick, that I would."

The male adults of the Rough and Ready Emigrant Company decide over the farewell glasses of brandy and water that Squirrel Crick is their meat. Back to where the wimmin-folks're casting anxious looks from under their sunbonnets. Gee, Major! Pull, you dod-gasted White-Face!

Off for Squirrel Crick!

And inside a week, when pans were yielding as high as \$400 a day's washing—Slim Judson of Sheelsburg washed out a single nugget weighing in at \$1,200—behold the new gold diggin's called Rough and Ready!

Rough was this new gold camp, and ready, too, for anything that might befall. Hard-bitten men from Wisconsin and their women—themselves lately from a frontier—knew how to get along in a sun-drenched wilderness. Word of the richness of Squirrel Creek spread, and in a month where first those prairie schooners drawn into a circle represented a settlement, now a town appeared after the

The Hell-roarin' Forty-niners

manner of Forty-nine magic; while all the willow-shaded banks of the creek and the little flats back of them were being ripped and haggled.

All gold camps in those furious years looked alike. A cultured woman who accompanied her doctor husband to one of them farther back in the mountains wrote a series of lively descriptive letters to her sister back in the States: letters fortunately preserved in the files of a pioneer California magazine. In the absence of a special description, let her specifications serve for Rough and Ready.

Through the middle of Rich Bar [writes the lady] runs the street, thickly planted with about forty tenements; among which figure round tents, square tents, plank hovels, log cabins, etc.—the residences varying in elegance and convenience from the palatial splendor of The Empire (the camp's hotel) down to a "local habitation" formed of pine boughs and covered with old calico shirts. . . .

I have been invited to dine at the best built log cabin on the river. It is situated on the hill of which I have just been writing and is owned by five or six intelligent, hard-working, sturdy young men. Of course, it has no floor; but it boasts a perfect marvel of a fireplace. . . . The cabin is lighted in a manner truly ingenious.

Three feet in length of a log on one side of the room is removed and glass jars inserted in

Rough and Ready

its place; the space around the necks of said jars being filled in with clay.

The cabin consists of one very large room, in the back part of which are neatly stored several hundred sacks of flour, a large quantity of potatoes, several kegs of butter and plenty of hams and mackerel. The furniture consists of low wooden stools, no two of them being made alike. Their bunks, as they call them, were arranged in two rows along one side of the cabin, each neatly covered with a dark blue or red blanket. . . .

I have said nothing about candlesticks as yet. I must confess that in them the spice of life is carried almost too far. One gets satiated with their wonderful variety. Bottles with the bottoms knocked off are the general favorites. Many, however, exhibit an insane admiration for match boxes. Some fancy blocks of wood with an ornamental balustrade of three nails; and I have seen praiseworthy candles making desperate efforts to stand straight in tumblers! . . .

The Empire is the only two-story building in town and absolutely has an upstairs. Here you will find two or three glass windows, an unknown luxury in all the other dwellings. It is built of planks of the roughest possible description; the roof, of course, is covered with canvas, which also forms the entire front of the house,

The Hell-roarin' Forty-niners

on which is painted in immense capitals the following imposing letters: "THE EMPIRE."

I will describe as exactly as possible this grand establishment.

You first enter a large apartment level with the street, part of which is fitted up as a bar-room with that eternal crimson calico which flushes the whole social life of the "Golden State" with its everlasting red—in the center of a fluted mass of which gleams a really elegant mirror set off by a background of decanters, cigar vases and jars of brandied fruit: the whole forming a *tout ensemble* of dazzling splendor. A table covered with green cloth—upon which lie a pack of monte cards, a backgammon board and a sickening pile of "yellow kivered" literature—with several benches, complete the furniture of this the most important part of such a place as The Empire.

The remainder of the room does duty as a shop; where velveteen and leather, flannel shirts and calico ditto—the latter starched to an appalling state of stiffness—lie cheek by jowl with hams, preserved meats, oysters and other groceries in hopeless confusion.

A flight of four steps leads from the "ladies' parlor" to the upper story; where on each side of a narrow entry, are four eight-by-ten-foot bedrooms, the floors of which are covered by straw matting. Here your eyes are again re-

Rough and Ready

freshed with a glittering vision of red calico curtains gracefully festooned over wooden windows, picturesquely latticelike.

The whole building is just such a piece of carpentering as a child two years old, gifted with the strength of a man, would produce.

Translate that in terms of your own imagination to fit this up-and-coming Rough and Ready, which by November elections of 1850 boasted a thousand votes. Particularly let the red-emblazoned hotel bulk in your eye; for you will see big doin's, presently, in that calico bedizened barroom.

With the skyrocketing of Rough and Ready, smaller camps subsidiary to it sprang up round about: Rich Flat, Randolph Flat, Kentucky Flat, Allison's Ranch, Lander's Bar. Trails from these outposts through the scrub to Rough and Ready's delights of bar and monte table wore deep in the red dust. Men gambled, drank, fought.

But chiefly they rooted for gold; first with pick and pan, then with Long Tom and rocker and—as wisdom grew with experimentation—by running swift flumed streams over flats away from the stream beds to wash away surface dirt down to gold bearing gravels: “ground sluicing.”

Of Rough and Ready's richness a rare tale is told. In the winter of '50, a mean, wet season when men sickened with “lung fever” everywhere and the newly established graveyard on a little flat out of the

The Hell-roarin' Forty-niners

camp claimed its tenants in increasing numbers, a funeral was in progress during a heavy rain. A parson down from Nevada City was indulging a particularly long-winded prayer while the wet dripped off bowed hats of the handful clustered around the newly made grave. One of the mourners thought he saw something glimmer in the fresh mound of dirt. He stirred the dully shining point with his boot. A nugget! And snuggling right 'longside that nugget another—a whopper!

The mourner sneaked away from the grave side. One by one his fellows followed. . . .

"And now, O Lord, dust to dust and ashes to ashes; and the speerit of our beloved brother—" The parson happened to look up. He saw all the mourners pacing off fifteen-foot claims in the graveyard.

"Hey, boys, you gotta give me a show when I finish with our brother here!"

Rough and Ready's permanent contribution to the high-colored pattern of the Days of Gold was an episode of roaring farce: one of those precious footnotes to history so often exceeding in richness of its human quality the sober running text. This took the form of a bold essay at sedition which made a ripple just eight miles wide in the sovereign affairs of a new state.

Though the original settlers of the camp were Wisconsin pioneers and, presumably, of antislavery sentiments—if they had any political convictions whatever—the rush to Rough and Ready and its

Rough and Ready

circle of satellite bars and flats carried a preponderance of Southerners to give the population a strong Democratic and proslavery complexion. The Baltimore Boys; the Louis'ana Tigers: clans of the soft tongue and the hot temper.

Though "The States" were a shadowy entity away back yonder over desert and mountain, and gold rooting was the vast preoccupation of all, yet men brought to this new land the fierce antagonisms that were working to rend the Union on the opposite side of the continent. It happened that the larger and rival camp of Nevada City eight miles up the road from Rough and Ready was preponderantly Northern Whig and Black Abolitionist. These partisans coined a scornful word for the hot-headed Southerners; they were "Chivs"—the Party of Chivalry and Bowie Knife.

Feeling ran high. It became a fighting matter for a Chiv from Rough and Ready to drop a careless remark concerning squatter sovereignty or the Fugitive Slave Law before the bar in Barker's Exchange, Nevada City. If a Nevada City man found himself in Rough and Ready he carried his Allen's pepper-box light under the buttons of his shirt. The tension was given poignancy by the very live issue of whether California was to be admitted to the Union a free or a slave state. On September 9, 1850, Congress made California a state—and free.

In course of time this shocking news came to the Chivs of Rough and Ready. And then the fire

The Hell-roarin' Forty-niners

eaters began to get rough with the American eagle.

One Horatio Brundagee—of the N'awleans Brundagees, suh—sent couriers to Kentucky Flat, to Lander's Bar and Allison's Ranch to carry the news to outraged Democracy and bid the defenders of state sovereignty assemble at Rough and Ready "for appropriate action in the face of unparalleled outrage." They came, these hot-mouthed Chivs, with their bowie knives loose in bootlegs; and before the red calico panels of the bar in the Rough and Ready tavern the C'yarters, the C'yarrols, the Allison's and the Brundagees proceeded to "wood up" the fires of their wrath on gin slings and brandy toddy.

Upshot of the doin's was that Horatio Brundagee and a committee on resolutions were commanded to retire—not too far away from the bar—and there imprison on paper winged words of defiance; in short, to frame a wreath of phrases about the rosy brow of John Barleycorn.

You have the scene: A draggle-tail street of canvas and board shacks stretching either side of the loftier canvas front of the tavern; men in foot-killing boots, red shirts and nondescript black hats—wild-whiskered and shaggy men—milling in and out of the barroom, yelling, letting off their guns to punctuate their exhilaration. Hours pass. New kegs are broached. Late comers over the red trails strive valiantly to catch up with the vinous procession.

Suddenly a hush. Then, "Make way for Cunnel Brundagee!"

Rough and Ready

Horatio Brundagee's high white beaver bobs like a cork on a sea of hats. He is hoisted to a barrel top before the tavern while the mob presses in. Horatio Brundagee settles his ruffed stock under his chin and lets his imperious eye range the scene. Then he unrolls a scroll and reads.

Would that all the whereases and the undoubtedly thundering convolutions of that screed had been preserved to posterity; but, alas——

What Horatio proclaimed was a Declaration of Independence of the City and Township of Rough and Ready. Independent, if you please, not only of the so-called State of California, but of the self-styled United States of America. And now and henceforth princes and potentates would be well advised if they treated with Rough and Ready as a free and self-governing independency.

Beat South Carolina to it by a few months less than ten years! But that was not all.

A nervous sheriff of Nevada City, himself a Northerner, heard the horrid news, coupled with the report that the new state intended sending its forces against Nevada City to capture the camp. Immediately he called out the Vigilantes. Vedettes were posted down the road to Rough and Ready. Women and children—all four of 'em—were moved to Banner Mountain under guard. A night of ghastly suspense passed.

In the graying dawn a sentry pacing before the sheriff's tent spied a shadowy figure approaching;

The Hell-roarin' Forty-niners

one which bore between its hands something which might have been a bomb. Down went the old Sharp's musket.

"Halt! Who comes here?"

"Friend—with a jug of O-Be-Joyful for the sheriff and his sentry."

"Advance, friend with a jug of O-Be-Joyful; an' to hell with the countersign!"

Whereupon Nevada City entered upon a large day, while the Independent State of Rough and Ready nursed a head.

Peace—the peace of life-in-death rules Rough and Ready to-day. Hardly does the pilgrim know he's even come to a town. The road takes a turn, and there's an orchard of very old, very gnarled apple trees; one or two houses with the lace-paper gables of the Fifties, and blind windows; a closed black-smith shop; a barn . . .

Yes, and the old tavern; perhaps an amplification of that canvas-fronted affair wherein a Declaration of Independence was goose-quilled. Enter the bar-room; long, shadowed, still haunted by the ghost aromas of less paternalistic days. The old bar is there; a thing of fine old dark wood with the outer edge worn wavy by the coat sleeves of a half century of tipplers. On the wall behind, a gold framed engraving of Daniel Webster looks down—shall one venture to say sadly?

Step up, all, and have a lemon pop!

Grass Valley

Chapter 4

GRASS VALLEY



IN October of '48 three Oregonians who'd come skyhooting down from the north country in answer to the gold cry were about the then common business of blundering hit-or-miss over Sierra ridges, sampling every stream met for "colors" and shoving on to the next one. Mere "colors" wouldn't do in those frantic first days of the gold mania, nor yet "paying pans"; men must locate "pound mines"—claims yielding at least twelve ounces to the man between sunup and dark—or they must find rich rim rock above stream beds out of which the precious stuff could be carved like cheese flakes. There's not enough gold in this country for everybody, so grab the rich stuff first: that was the slogan of '48.

The trio, David Stump, a man named Barry and a third whose name has been lost in the shuffle of years, went northward from Bear River because they saw where somebody had been whittling the rim rock there and judged that field was no good. They burst out of heavy timber onto a little mountain meadow in a dish of the hills, a sweet spot where wild grasses and pea vines laid a carpet of chenille

The Hell-roarin' Forty-niners

on both sides of a meandering stream and early frosts had set aflame the dogwood and the aspen.

Here in this grassy valley the three Oregonians panned the stream's gravels and "creviced" the stream's banks, with great profit, for three weeks and until the threat of winter sent them scurrying down into the Valley. They did not know that under this carpet of green lay the richest deposit of deep gold in all California. Had a jaybird on a hazel bush been miraculously endowed with oracular speech and told these three Oregon rustlers that a stream of gold would flow steadily from this grassy valley for eighty years to come, that more than ninety miles of subterranean passageways would crisscross through living rock three thousand and more feet below their boot heels, I believe it would not be the marvel of a jaybird's using human speech that would have startled them half so much as what that jaybird said.

So three primitive Oregonians passed on just because the eye of man has not been designed to permit his seeing below the crust of earth. Following year of '49 when Rough and Ready, four miles to the west, and Deer Creek Dry Diggin's, an equal distance east, began to fill up, this little grassy valley in a dish of the hills lay almost fallow. A party of immigrants seeking strayed cattle found them here, up to their knees in lush pasturage. Another party of five built a cabin on Badger Hill overlooking the meadows. The Boston Company, arriving in

Grass Valley

September, built four cabins in what came to be called Boston Ravine and there wintered. Doubtless they worked their rockers along the shores of the meandering stream but with no sensational results. Rough and Ready and Deer Creek Dry Diggin's—later to become Nevada City—were the roaring camps; this Grass Valley was but a halfway stop for a man with a traveling urge to sample the lick of a rival camp.

Then, in 1850, when the bottom had pretty well dropped out of Grass Valley and folks were selling for \$50 thirty-foot squares of ground potentially worth \$50,000, came discovery.

A man named McKnight went up on a hillside on an October day in 1850 to gather an armful of pitch pine for his fireplace. He carelessly kicked at a low ledge of rock just showing above the pine needles. A fragment crumbled away from the toe of his boot. Some God-given spur of curiosity prompted this fellow McKnight to stoop and examine this chunk. The cleavage surface showed white as coconut meat, and through the glassy crystalline substance ran a ribbon of rich yellow, all clotted like honey in the comb. The wood gatherer took his piece of rock back to his cabin and pounded it to powder in the bottom of an iron kettle. He washed that coarse powder in a gold pan.

The white powder slopped away over the pan's edge with the dribblings of water leaving—pure gold!

The Hell-roarin' Forty-niners

Picture this fellow McKnight, pop-eyed, and with his boots carrying him at top speed back up the hill to where that gray outcropping of soft rock showed above the pine needles. His pick goes point down into the ledge—sign of a claim appropriation—and he paces off a square of thirty feet with the ledge as a center; thirty feet is the claim limit set by miners' meetings both at Rough and Ready and Deer Creek Dry Diggin's.

"Gosh a-mighty! Gold in solid rock; it jist don't make sense. But thar she be!"

When McKnight came down from Gold Hill—for so the eminence promptly was dubbed—he must have walked wide and lofty. Maybe his imagination whispered that, along with Marshall's, his name would ring round the world. Yet no statue has been erected to McKnight. His name is not in the school histories; I venture to believe it is given general currency here for the first time.

McKnight, discoverer of gold quartz in California; daddy to an industry which long outlived the ephemeral dazzle of the placer diggin's. . . .

The strange strike on Gold Hill could not be kept a secret over a day. Folks in the row of cabins along Boston Ravine saw McKnight straddling down the hill to his cabin with sacks of rocks on his back—heard the noise of pounding come from behind the closed door of his cabin. You may be sure it was not long before he was displaying to bulging eyes the rich yellow residues in his gold pan.

Grass Valley

Over in Grass Valley [writes Chauncey L. Canfield's 'Forty-niner'] they have found veins of white stone which we call quartz and some of it has great masses and leaves of gold mixed in. It is the same sort of rock that most of the pebbles in our gravel are made of, and we have found in our claims several of these pebbles that had gold in them. We thought they were curious and had no idea that they were solid streaks of it. I saw one piece in Hamlet Davis' store to-day that had been brought up from Grass Valley. It was as big as my head and all covered over with gold. Davis said there was as much as \$500 in it.

There was a big crowd looking at it, discussing its origin; and a great many were of the opinion that this was the Source of Gold we had been looking for. Others agreed that if there was much more like it, there would be so much gold that it would get to be cheaper than iron.

And then another entry in a Forty-niner's diary concerning this seven days wonder of gold sealed up in rocks:

At the hotel that night there was a lot of discussion and argument as to how the gold came there, but none of them was very convincing. An old fellow said to me: "Never mind these scientific cusses. I'll give you the right one.

The Hell-roarin' Forty-niners

Gold is just where you find it, and you are as likely to come across it one place as another."

Next day I crossed over the trail to Grass Valley and had a look at the quartz mines. There is something that upsets all our notions. In two or three places they have followed these veins of white, glassy rock down into the bed rock for seventy-five feet and they don't seem to pinch out. I did not find anybody to explain how gold got inside this rock and I guess nobody knows.

A puzzle indeed: how gold got inside this white rock! One wiseacre delivered a weighty lecture in Nevada City wherein he sought to prove that when the world was very young and soft as a baby's head, a titanic explosion at its core had shot the gold particles right through miles of semifluid substance until they found lodgment in the cooled surface strata!

After all, how she got thar was just a convenient trip latch to barroom conversation; fact was, thar she be. And how to get the gold out of the hard quartz was a much more pertinent question. In the many essays at answering that question, essays both theoretical and practical, lies one of the most variegated patterns in the whole mosaic of the Days of Gold.

The first quartz miners, neighbors of McKnight who had marveled at what he got out of white rocks

Grass Valley

by pounding them in an iron kettle, were quick to locate similar outcroppings all around the rim of hills inclosing their valley—on Ophir Hill, atop and along the flanks of Massachusetts Hill. The whole brim of the mountain cup was prickly with these mysterious gold-bearing ledges. Men came down from the wooded heights with "specimens," as they called their fragments: cloven rock with snowy surfaces across which the virgin gold lay in delicate fern leaves or from fissures of which the precious stuff lifted in miniature fountain gouts. Much more beautiful—a hundred times more alluring than the dull grains of placer gold found in gravel bars!

Everybody within a day's ride of Grass Valley promptly went mad.

First off, there was a run on the hardware stores and drug shops of Sacramento and San Francisco for mortars and pestles wherewith to bray the precious rocks. Every miner's cabin became a miniature quartz mill. Fast as he got his quartz out of the vein he smashed it up at home and washed it out by laborious panning. But, unless the rock ran very rich—what the modern gold miner terms "high grade"—this hand process did not pay. Quantity production alone made this new sort of mining worth while.

A Judge Walsh and his partner Collins evolved the first quartz mill—the first in the world, unless my back tracking through scientific references is faulty. It ran by water power and its four head of stamps

The Hell-roarin' Forty-niners

with shanks made of pine saplings could barely macerate two tons of quartz a day. Wags said that after a man had worked a week in the clatter and banging of those four stamps he'd have to be shot for his own good and the protection of the public. Some worthy who'd served with Taylor in the war with Mexico remembered having seen *arrastras* working in the mining region below the Rio Grande and duplicated that primitive machine at Grass Valley; it is a circular stone floored pit on which the ore is crushed by a heavy revolving stone roller, ox drawn.

Water power, man power, ox power; but no steam.

Let us go down Mill street and examine the quartz mills. See that pile of stones; each one contains gold. Watch that man, how he breaks into small pieces the large stones; see, another shovels it into those large iron mortars; see those heavy iron pestles, how they descend into the mortars, crushing the stones to a coarse powder. A small stream of water is made to run through each mortar, which carries off the powdered rock into a large trough lined with muslin, the bottom covered with quicksilver. The gold, being the heaviest, sinks to the bottom; the gravel passes over. The thump-thump-thump is heard all day. At evening the mill is stopped, the gold is carefully scooped out, taken to the

Grass Valley

retort room where it is separated from the mercury; and that is all we can see.

To-day, within rifle shot of where this primitive mill stood, the great Empire Mill on Ophir Hill fills all the shallow cup of Grass Valley with the roar of its eighty electrically driven stamps, which cease not from their pounding day and night. The Empire has operated continuously since 1850 on the very veins whose surface rock used to go into the primitive mortars above described; only to-day its hard-rock miners work more than 3000 feet below ground instead of in the shallow gopher holes of the Fifties. The Empire has cut sixty-six miles of channels out of the living rock. Grass Valley mines have become the postgraduate college of mining engineers from Russia to the Rand.

Now you have the scene: A raw town with its sawmill, its hotel, its rows of board-and-canvas shacks; one street set aside for the new-fangled quartz mills whose thump-thump-thump sounded nerve racking to the contemporary whose impressions I've just quoted; on the encircling hills, already being ruthlessly shorn of their great pines, beginning piles of gray spoils marking the badger holes of the quartz miners. Enter the serio-comic villain of the piece, Dr. Rodgers.

I like to fancy this Dr. Rodgers a man of portentous mien—he called himself Doctor, didn't he?—and a mellifluous voice. Even I am inclined to trim

The Hell-roarin' Forty-niners

his ruddy cheeks with side whiskers and to put a rosewood cane with an ivory eagle's head into his hand, though I shall not insist upon his having a woven hair watch chain. Oil over steel—that's the Doctor.

He came to Grass Valley and Nevada City just at the time when men were blundering most in their efforts to solve the problem of how to get gold out of rocks; when the croakers and the crêpe hangers were loudest in their lamentations about dam'd fools who thought they could get rich breaking large rocks into little ones. Whence the good Doctor came is a minor fact lost in the wash of Time; it is what he did to the twin camps of Grass Valley and Nevada City that really counts.

Dr. Rodgers got himself the fanciest room at the Beatty House in Nevada and signalized his arrival by giving an oyster supper, with plenty champagne, to a hand-picked group of the camp's most prominent men. During the course of the evening the host gently led the conversation into a favorite channel: how did gold get into solid rocks? He waited until each man had advanced his pet theory, and then Dr. Rodgers told them the real scientific truth of it—for, of course, he knew.

"And now, gentlemen, with me and with me alone reposes the secret of how to extract gold from those solid rocks—solid appearing, that is, to the unaided human eye. As with all the great secrets of Nature,

Grass Valley

this one is so simple to the scientific mind as to be laughable. Laughable, gentlemen!"

Thereupon he proceeded to reveal this laughable secret to eager listeners. Quartz, said the Doctor, revealed itself under the highest-powered microscope as being of cellular structure, like a cross section of pine or oak. "For Nature follows one grand scheme, gentlemen, in all her creations, whether organic or inorganic." Between the cells, or crystals, of white quartz a foreign matter we call gold had been infused in the way and manner just expounded by the Doctor. Such an infusion was abhorrent to quartz nature because, as any schoolboy knows, the injection of a foreign substance into any homogeneous body was against the scheme of Nature. But there was nothing quartz could do about it without intervention of the human intelligence.

"Gentlemen, I ask you: Heat any metal and what happens? Why, it expands. Heat quartz and what inevitably must happen? The solid appearing body of quartz crystals expands. And what then? Simple as A B C! With the expansion of the quartz crystals, the infused gold particles must fall out because the quartz crystals that hold them locked have separated. And there you are!"

Well, that oyster supper started things. In Nevada City and Grass Valley folks talked about Dr. Rodgers' expansion of quartz until the birth of a Rodgers Gold Smelting Company appeared but the logical answer to universal speculation.

The Hell-roarin' Forty-niners .

A scientific cuss in Nevada has formed a company to get the gold out of the quartz by a new method and is selling shares like hot cakes at ten dollars a share. He is going to build a furnace and melt the gold out of the rock. It may be all right, but I don't know anything about quartz mines and have not bought any stock.

I hear, as a rule, miners have fought shy of the investment, as the majority are skeptical and don't believe in any new-fangled process for getting gold out of the rocks; but the business men don't feel that way. I am told that the merchants, lawyers and a great many sporting men have put money into the scheme and the inventor has raised about forty thousand dollars. He is grading off a site for his furnace on Deer Creek, opposite the town, has sent below for fire bricks and machinery, and is burning a kiln of charcoal for fuel. His idea is to raise sufficient heat in the furnace to melt the rocks and run it off at a spout; contending that the gold, being so much heavier, will sink to the bottom and then can be taken out pure and solid. . . .

To hear the investors talk, however, you would think they were already millionaires.

This diarist seems to have been among the conservatives and, perhaps, one who never had come

Grass Valley

under the full jet of Dr. Rodgers' personality. But there were plenty less cagey: the big gamblers of Grass Valley and Nevada City, the kitters of mining stocks, small-time store clerks. One contemporary says that Dr. Rodgers' scheme was "a veritable South Sea bubble."

At last the big day arrived. The great brick stack which had been built near Deer Creek was filled with alternate layers of pitch pine, charcoal and rich quartz. The big mechanical blower, run by water power, was set whirring before a vent in the stack's base. Flames leaped from the tall chimney top and a volcano gout of smoke. Men came from all the near-by camps, from Rough and Ready, from Selby's Flat and even far-away Humbug, to witness a prodigy or give the laugh to dupes.

The fire burned two days. Meanwhile saloons did a roaring business. A meandering trail was worn between the belching stack on the edge of Deer Creek and the collected bars of the town. The investors brought cold snacks to eat close under the smelter's shadow; they dared not lose one minute of tingling fascination.

Finally the stack cooled sufficiently to permit approach. The great Dr. Rodgers himself opened the iron door at the bottom of the flue, and while enthusiasts banged their revolvers into the blue he raked out the pan which was to be filled with pure gold.

The pan was heaped and running over—with

The Hell-roarin' Forty-niners

ashes. Not a spot of gold the size of a pinhead in it.

Not only did capitalists who generally subscribed to promote the enterprise lose their entire investment, but many a poor fellow lost his whole summer's wages, besides being in debt for his board at twelve dollars a week. Rigby and Dr. Rodgers, the manager and projector, were enabled, through the handling of stockholders' money, to make themselves whole.

But Dr. Rodgers' fiasco did not halt men's efforts to mine and extract quartz gold. Slowly and with sharp financial pains—occasionally with sudden tragedy interjected—pioneers made themselves masters of a new mining craft. Because of the heavy expenses, both in digging and crushing, quartz mining was not an undertaking for a single man, as with placer working, nor yet for groups of three or five "pardners." To follow a gold bearing ledge down into the flinty heart of a mountain required large capital, which meant the organization of companies and flotation of stock with all the chances for swindle inherent in that operation. In the following chapter is detailed an episode from the dark side of pioneer quartz working.

Yet I say the industry worried ahead. A meticulous German observer visited Grass Valley in 1857 and published in London the next year a report of what he saw.



Courtesy of the Southern Pacific Railroad

THE WOOLLY TOWN OF CISCO IN 1868.

Grass Valley

The Allison Ranch mill [wrote this Ernest Seyd] has been at work some six weeks, during which time they have reduced only some five hundred tons of ore, which has yielded about 500 pounds (not ounces) of gold—value about \$100,000. . . . The grand prize of the Allison boys, which two years ago might have been purchased for \$600, could not now be obtained for much, if any, less than half a million. The ledge is very thick, in parts as much as eight feet; none of it poor.

The Gold Hill Mill is now at work upon ore from its own mines, and upon custom work, which is yielding from \$15 to \$100 a ton. At Lee's Mill they are reducing ore which is paying \$100 per ton.

An interesting speculation rises here which, perhaps, some mining engineer acquainted with the Grass Valley field could answer: How much gold did these first quartz miners throw away? The German Seyd's report of richness per ton reckoned only the "free" gold captured from reduced ores; that is, gold uncombined with other metals. Perhaps the operators of the Fifties did not even recognize as valuable pyrites and galena and other gold compounds to-day broken up by elaborate processes of metallurgy; certainly these elements of quartz veins were allowed to wash down onto the growing fan of "tailings" below each primitive mill.

The Hell-roarin' Forty-niners

Grass Valley was just in the knee pants stage of its growth, just beginning to be socially self-conscious in the mid-Fifties, when a red flaming star blazed into its periphery—Lola Montez.

There has been a recent quaint revival of interest in this international Bad Girl of the Mid-Victorians. Essays about her have appeared and a few of our rebel intellectuals have taken up Lola in a serious way. Odd that the raw mining town of Grass Valley should contribute its paragraph of Monteziana.

The Montez—to recapitulate for those who do not draw their pet heroines from the demimonde—was Limerick-born Maria Dolores Eliza Gilbert. A creature of fire and fascination, she made her appearance as a dancer on the London stage in 1843, caused a great amount of tut-tutting among the prigs of that capital, ruled Bavaria as the favorite of King Ludwig—costing that monarch his pretty crown—contracted a bigamous marriage with a coronet in the Life Guards in London and came to New York in 1851. San Francisco, where miners cast nuggets at the feet of dancers, lured Lola two years later. There she was up to her old tricks of marrying bigamously—the spirited Irish woman never had time to bother with divorces—and after a little while she quit her latest spouse to go off hunting grizzlies with a German Nimrod. When he accidentally shot and killed himself, the restless vessel of passion suddenly plumped upon Grass Valley, bought herself a cot-

Grass Valley

tage, put a half-grown bear cub on a chain in the front yard and settled down for a little rest.

Grass Valley's reaction to the presence of the notorious Montez undoubtedly was expressed in a communal snigger. Women in the rough camp were still so rare that the coming of a new one caused suspension of business on Mill and Main streets. A woman whose daintily slippered foot had kicked over a throne—well!

Nevertheless there were men, the local gallants, who were distinctly not averse to having their names entered on Lola Montez's list of social eligibles: the Messieurs Chavanne and Fricot, French bankers; the brothers Watt; Lawyer William M. Stewart, who was later a brilliant United States Senator from Nevada. The "Irish Countess," as she was called by Grass Valley folk, was a liberal entertainer and an educated provider. Langton's Express used to bring up from San Francisco hampers of the finest vintages to be delivered at the Montez cottage. The ladies of Grass Valley—need one cite the obvious?—never gave the dashing beauty the social accolade.

Two years Lola Montez lived in Grass Valley, surrounded by her pet bear, dogs, horses, birds, goat, sheep, hens—and gentlemen. Then one day she publicly horsewhipped Henry Shipley, editor of the Grass Valley *Telegraph*, for something he'd said about her in his paper—at least, so legend assigns the cause—and shortly thereafter left town. So did Mr. Shipley.

The Hell-roarin' Forty-niners

Grass Valley in 1928 is one of the scant half dozen mining camps of the riotous Fifties that survive in prosperity; and all because of that chunk of gold-bearing quartz McKnight kicked from a ledge atop Gold Hill on an autumn day seventy-eight years ago. The tidy little city in the cup of surrounding hills has been undercut in its every precinct by crisscrossing of shaft and stope deep down in the viscera of earth below. A large part of its male population—Cornishmen mostly—go down in “skips” to the 4800 level and the 6200 level to spend the day or the night underground, where live mules with eyes as useless as those of Mammoth Cave fish. Ever so often tidy bricks of solid gold go from Grass Valley down to the mint in San Francisco.

The savor of the old days of heartbreak and hazard still is strong. Under wooden sidewalk awnings are entrances to many a one-time famous saloon and gambling palace: the Alta, the Empire, Madame Moustache, the French woman's—she killed herself in bad Bodie in '79. Up on Osborne Hill, on Ophir and on Gold Hill, everywhere amid the thickets of manzanita and poison oak, are prospect holes of the first quartz mines, tunnels, skeletons of abandoned shaft house; and heaps and moraines of splintered rock haggled from the bowels of earth by black powder blasts.

The promise implied by the tricky genius of gold when she put that block of gold-veined quartz in the way of McKnight's boot has been fulfilled year upon

Grass Valley

year—and will continue to be many years in the future. When all the river camps and the hydraulic diggin's long since have been deserted and left to the healing silence of the mountains, Grass Valley mines will continue to spout their golden streams.

•

The Luck of Michael Brennan

•

Chapter 5

THE LUCK OF MICHAEL BRENNAN



FEW yards back from the entrance gate to Grass Valley's cemetery a low granite coping incloses a burial site wherein the mounds long since have sunk to the level of the red dust. No headstones here. Not a shrub or a flower to relieve the summer barrenness of shriveled weeds stricken by the sun.

A pauper's grave? No, unless you count that one resting here was a pauper of hope. Kneel and read the faint chiseled inscription on the curve of the coping where it bounds the top of the plot:

Died, February 21, 1858.

Michael Brennan. Age 38 years.

Dorinda Brennan. Age 32 years.

Ellen Brennan. Age 7 years.

Robert Brennan. Age 5 years.

Dorinda Brennan. Age 2 years.

That is all. No word of explanation. None of the standard phrases groping man inscribes on granite to ease his soul in the presence of the great mystery of death.

Five died on one day of February seventy years

The Hell-roarin' Forty-niners

ago and were laid under the red soil to await a promise of resurrection.

Here is tragedy. Here between the granite copings in a place of the dead that callous genius of gold who once ruled all the blue mountains round about wrote off, with a careless gesture, certain losses in her tally of human endeavor. Her page could not show all shining achievements, all glorious winnings; there must be a balance in somber inks.

Michael Brennan was a gently born Irishman whose education was given that rare benefit, years leading to an A.B. from the faculties of Trinity College, Dublin. He came to America shortly after graduation, leaving behind him a mother and sister who were more or less dependent upon him. We first see him as a "phonographic reporter"—so the quaint phrase of one biographer has it—on Bennett's New York *Herald*: a position which he is said to have held with some distinction. The presumption is that he married in New York.

When the California gold excitement swept the Atlantic cities, Brennan, like so many thousand others, became a victim of the fever. With a wife and young children, he did not feel himself free to join in the endless caravan across the plains; instead he bought heavily in the Rocky Bar Company operating a quartz mine in a far distant camp known as Grass Valley. He bought "unsight, unseen," as did tens of thousands of city dwellers whose eyes were dazzled by the far glitter of gold in a strange,

The Luck of Michael Brennan

raw land. Brennan must have stood high with the New York directors of Rocky Bar, for when dividends lacked, even though the output of the properties in Grass Valley yielded \$70 to the ton, the resident manager was fired and Brennan was sent out to assume charge of operations.

Not that a degree in letters from Trinity College qualified him as a mining engineer, nor yet a brilliant career as a journalist on Bennett's sheet. I think it is safe to say Michael Brennan knew nothing about quartz mining. But then, at that period, even the men on the ground knew nothing. It was a time of fumbling and experimentation and costly blunders by tyros at the art of handling refractory gold ores. Yes, and a time of tremendous costs, what with men and materials at a premium in the new quartz fields. Perhaps Brennan won his appointment because he was a good manager.

At any rate, out to Grass Valley he went with his wife and his two children—a third was born to the couple after they settled at the mines. The old Rocky Bar Company had been reorganized into the Mount Hope Company. Its properties lay on Massachusetts Hill, an eminence overlooking Wolf Creek southwest a little of the new camp of Grass Valley. Quartz had been discovered there early in 1850 and title taken by Uncle Billy Chollar; there had been the usual number of sales and transfers before Brennan appeared as resident manager. The year was 1856 and Brennan was thirty-six years old.

The Hell-roarin' Forty-niners

Luck was with the New York man at first. Instead of trying to work the old shaft, which was making water so fast that pumping operations ate up most of the profit, Brennan began to sink on a "stringer," as a small subsidiary quartz vein is called, which showed very rich. Before he'd been a year at his new job he sent back to his directors enough gold to warrant the payment of a one per cent dividend on a million capitalization. But at 260 feet down the stringer "pinched out" instead of leading to a larger vein as Brennan had hoped. Then he suspended operations there and started to sink a new shaft, hoping to tap rich ore bodies before costs of operations mounted prohibitively. This is the Brennan Shaft, which is shown to Grass Valley visitors to-day to point interest in the tale I am here repeating.

The young New Yorker's investments on the ground must have been very heavy. He built a quartz mill—prior to this time the company had carried its ore to an outside mill to be crushed—and he installed expensive machinery at the shaft head of his new operation. He had a steadily mounting pay roll—not less than \$5 a day for the cheapest form of labor. He called upon his New York directors for more money. So sanguine of success was he that he put into the Brennan Shaft every dollar he had in the world and—crowning misfortune—he persuaded close friends of his in Grass Valley, bankers and miners, to invest with him.

The Luck of Michael Brennan

Leave Michael Brennan, amateur mining engineer, for a minute and turn to a more intimate picture—the Brennan household, presided over by Dorinda Brennan—“who had acquired the love of all by her amiability, her good sense and kindly disposition,” as the *Grass Valley Telegraph* wrote in its obituary. Dorinda Brennan spoke four languages. She was an accomplished musician with harp and piano. Distinctly she was an acquisition for Grass Valley society, which had begun to emerge from the crudities of the first gold rush and was becoming a little self-conscious. There was quite a leaven of cultured French people, men and women, in the community; they brought manners and little niceties in entertainment quite superior to the former exclusive rule of Madame Moustache’s monte house and James Fitz-James Bourbon Library.

It is not hard to picture the Brennans in their two-story house of real planed boards of a Sunday evening; the Brennans receiving their friends at soirée. Michael Brennan in his plum-colored coat and high peaked collar over fluted stock; Michael Brennan with his rich Irish voice lifted in quip and sally over the bowl of burgundy punch, about which have gathered André Chevanne, the banker, M. Faucherie engineer-designer of the great Empire Lake ditch, Delano the banker. Mrs. Brennan, in her latest crinoline and with a wreath of roses settled over her shining hair, is at her harp; her white arms glow in candlelight as they play across the stretch of

The Hell-roarin' Forty-niners

strings. Little Ellen Brennan, in her starched pantalettes, is permitted to pass among the company and serve the tea cakes from an alabaster dish.

Now the clouds of tragedy settle over this scene.

Early in February Brennan appeared before A. B. Dibble and said he wished his will drawn. The latter, a lawyer, instructed Brennan to draw it himself and bring it in to his office to be signed and witnessed.

"The man seemed slightly insane," said Dibble afterwards. "That is, he seemed unbalanced on some subjects. He told me he believed his life was threatened; that the parish priest had warned him so. Father Dalton denied to me that he ever had made such a remark."

Well might the unfortunate Michael Brennan seem slightly insane. Every cent of ready cash he had in the world was tied up in the sinking of the Brennan Shaft on Massachusetts Hill. His good friend Delano and others had tossed their money after his into the square hole in the ground—and upon his urgent representations that they couldn't lose. Unknown investors, the New York stockholders in the Mount Hope Company—their money to the tune of many tens of thousands was likewise down in that hole and unrecoverable.

All—all lost unless to-day's operations or to-morrow's uncover the rich ledge of gold-bearing quartz Brennan knows to be there. All occult signs of dip and strike—things read in rocks—cry that vein is

The Luck of Michael Brennan

bound to be cut if only he goes on deeper, a little deeper.

André Chevanne, the banker who had taken a mortgage on the whole Massachusetts property to secure a final loan, foreclosed. . . .

On Sunday afternoon, February 21, Walter Martineaux called at the Brennan home to see his friend Michael. The children's nurse met him at the front door and told him the whole family were sleeping and that Mr. Brennan had warned her they were not to be disturbed. Martineaux returned at six that evening and found the two servants alarmed. There had not been a sound from behind the locked doors, they said. Martineaux ran to fetch neighbors. They broke down a bedroom door.

Michael Brennan had died and taken his whole family with him. Wine with prussic acid in it had pointed the way to the valley of the cypresses.

I would like to mention many whose kindness I have felt [read the letter Michael Brennan left for his friend Martineaux]. Mr. and Mrs. Rush; and good little Mrs. Solomon—her good sweet face cuts me to the heart, knowing the loss I have, in some sort, brought upon her interest; although like others—like you and myself—I thought all would be well. I do not feel that I have misled or deceived anyone (Massachusetts Hill is the deceiver); but they would all feel that I had done it, which I could not bear.

The Hell-roarin' Forty-niners

Poor Mr. Delano, I know that he can badly spare his money, yet always so kind with his cheerful, good-natured face.

I myself had to leave, and it was cowardly to leave my poor wife and children behind—so they came with me. . . .

“Massachusetts Hill is the deceiver—” Aye, Michael Brennan, in that parenthesis you told all!

When M. André Chevanne was confirmed in his title to the Brennan Shaft, taken on mortgage foreclosure, the first blast of black powder his mine foreman put in against the “face” brought down a shower of white fragments each richly speckled with gold. The ledge which would have meant life to Michael Brennan and four greatly beloved, revealed itself after they had gone to sleep in the red earth. Michael Brennan was just one blast away from the traitor gold when he decided to go down the dark way and yet did not dare go alone.

The Brennan legend of the countryside unconsciously strains too hard to accent the Greek essence of tragedy. That has it that Brennan destroyed his family, then went alone into his mine, tamped in his last remnant of black powder and after lighting the fuse lay down to meet death in the blast; his body was found showered with gold. But long buried files of contemporary newspapers sweep away that too sensational touch with the facts, grim enough.

Nevada City

Chapter 6

NEVADA CITY



RIGHT here I am going to dip my hand in another fellow's gold poke. Thirty lashes on my bare back would be my portion if I were caught at this business seventy years ago, up there in the hell-roarin' diggin's. But passage of the years and the luck of living in softer times make me bold. So I lift from the worthy Edwin F. Bean's *Directory of Nevada County*, published in the Sixties, the story of the birth of a mining camp from the pen of one M. P. Avery, gold seeker and editor:

On the way from Sacramento to Vernon [Avery detailed his experiences in '49] I encountered a party on horseback who were coming from Deer Creek and who told me big stories about "pound diggin's" in Gold Run. As "pound diggin's"—i.e., claims that would yield twelve ounces a day to the man—were just what I was in search of, I inquired the way to this El Dorado, followed the old Emigrant Trail up Bear River to Johnson's Ranch, at the edge of the foothills, and then took a trail for the creek.

The Hell-roarin' Forty-niners

The first night in the foothills I had company—Caldwell, who was after a winter stock for his store on the creek at a point seven miles below what is now Nevada City, and several Southern and Western men. There was an encampment of United States soldiers near Johnson's Ranch at the time and the Indians were troublesome, sometimes putting an arrow through a lone sleeper or driving off cattle and horses. . . .

Arrived at Caldwell's store—the only trading post on the creek at that time—I found it a square canvas shanty stocked with whisky, pork, moldy biscuit and gingerbread; the whisky four bits a drink, the biscuits a dollar a pound.

A few tents were scattered over the flat and about a dozen parties were working the bars with dug-out cradles and wire or rawhide hoppers; only one or two persons having cradles made of boards and sheet iron.

I prospected with good success in a claim that had just been abandoned by the notorious Greenwood, carrying dirt in a pan to a dug-out cradle. Went with shovel and pan seven or eight miles up the creek, testing several ravines as high up as the top of the ridges, seldom—in my ignorance—going deeper than a few inches and always getting gold.

A preacher whose name I forgot was then

Nevada City

hauling dirt from one big ravine back of Caldwell's store in an ox cart and washing it at the creek with good success. A few other men were carrying dirt from other ravines in sacks on their backs or on those of mules. All were close-mouthed about the yields and regarded me as an interloper. They were Southwestern men, apparently, and mixed with their jealousy was contempt for a smooth-faced "Yorker," whose long brown hair lying on his shoulders ought to have conciliated their prejudices, since it looked like following a fashion set by themselves.

In my prospecting I somehow failed to get on the Gold Run side of the creek and so missed my objective point; but I struck the conjunction of ravines in the little flat known afterwards as the site of Dyer's store; and in Rich Ravine, winding about American Hill, I got a prospect that satisfied me immediately to return to Mormon Island, near Sacramento, for my companions. That locality was then (Oct. 10) completely unworked; I saw no prospect holes anywhere in the vicinity.

While camping out alone in the thick forest that covered the place I awoke one night oppressed for breath and saw a small gray wolf at my feet; fired at his eyes gleaming among the rocks, but missed him. . . .

[Avery was held up by winter storms in Sacramento and again at Nye's Ranch—later Marys-

The Hell-roarin' Forty-niners

ville—and did not return to the scene of his rich strike in a virgin field until mid-February.]

To my intense disgust [his narrative continues] I found that my ravine was occupied from one end to the other by long-haired Missourians who were taking out their "piles." They worked in the stormiest weather, standing in the yellow mud to shovel dirt into cradles or Toms; one of them had stretched a canvas awning over their claims, which were only 30 feet along the ravine. All the other ravines leading into the flat at the foot of American Hill were occupied almost as thickly.

Dyer had a log cabin store in the midst where whisky and brandy were sold at \$6 and \$8 the bottle, molasses at \$8 a gallon, flour at \$1 a pound and pork, \$2. American Hill was covered with tents and brush houses, while a few had put up log cabins. At nights the tents shone through the pines like great transparencies; and the sound of laughter, shouting, fiddling and singing shattered those primeval silences strangely. . . .

The diggin's yielded wonderfully. From one to twelve ounces a day was common with the cradles; while many a Long Tom party took home to their cabins at night a quart tin pail full of gold, much of which was coarse as wheat grains. Many a lucky fellow left with a fortune in the spring; and at the same time the embargo

Nevada City

of snow and mud was lifted, so that teamsters and packers arrived with supplies from the lower country.

So Nevada City sprang full grown out of the wilderness. And even though Avery, the discoverer, felt himself cheated of his due reward, to him belongs the honor of having been the father of one of the few mushroom camps that has weathered the years. To-day automobiles crossing Deer Creek over a steel bridge climb that same American Hill on a paved business street, and a chamber of commerce points with pride at what covers a one-time sea of mud.

A great camp; for many years supreme in all the Northern Mines. In its heyday it was the hub-center of life for all the subordinate diggin's for ten miles roundabout. Saturday night meant for the sluicer of Selby Flat and the river panner from Saleratus Ranch a long hike over trails to the bright lights of Nevada and—like as not—precious little inclination for work on Monday. Its saloons were the gaudiest. The stiffest games ran in its gambling halls. Nevada City sports clinked as they walked from the linked nuggets spanning their fancy waistcoats in the guise of watch chains.

Look at Madame Moustache's genteel resort—Madame the sprightly Frenchwoman who could fling a crisping oath, or if need be a dirk, with admirable precision. A long, rough boarded room

The Hell-roarin' Forty-niners

fully fifty feet in extent, its walls draped with colored cloth and decorated with provocative art studies in the nude which were imported straight from the Madame's home land. Fanciest bar in California, behind which a corps of gin slingers could serve fifty at a round of drinks if pressed. At one end where a cleared space gave invitation for dancing, an orchestra of fifteen pieces sobbed out sentimental waltzes or brayed mazurka measures. The rest of the resort was given up to twelve or fifteen tables: monte, twenty-one, poker, or name your game. "Make your game, gentleman. All down. . . ."

An episode at the Maison Moustache, neatly packed with drama:

In Nevada City of the Fifties lived a stray, a twelve-year-old boy whose mother had eloped with a slick gambler and whose dad had died of dysentery. The camp adopted him, dubbed him Shellbark, doted on him. He was everybody's pet. Man after man took Shellbark to live with him because he was credited with being a better mascot than a humpbacked man or even a nigger. At twelve, Shellbark's education included the art of tobacco chewing without apparent evil results, drinking bottled ale—the boy was zealously kept from the hard stuff—and with a higher course in card playing. There he exhibited unusual talents. He could raise you out of your boots with one ace showing and another in the hole.

Nevada City

Another citizen of Nevada was one Blue Dick, a bad, bad gambler. Blue Dick knew he was bad, and that's what made him bad. Blue Dick let folks know he was a ravenin' catamount, an' a Pecos River tornader, an' a blood-sweatin' B-hemoth all packed into one hairy hide. Likewise, he played a dirty game of draw poker.

One dull afternoon at Madame Moustache's Blue was sitting into a little draw with three whom he counted easy pickin's. Luck plus, perchance, a native dexterity with the cards, favored Blue for a while. Then occurred something very disconcerting to the bad man: he found himself being raised right out of his chair, after the draw, by one of those players counted stupid. His professional dignity prompted him to raise back; also, he hoped to bluff this upstart into quitting. Conceive of the bad man's mortification when the last bet was greater than his dwindling stack of chips. Blue shoved in his last dollar and demanded a "sight" on the pot.

"Not," said the unruffled opponent, "when you're packin' a couple hundred dollars worth of jewelry, to say nothin' 'bout them two pearl handled revolvers in your belt. Go raise the wind from a Jew."

Blue stormed and scowled his worst. The other was obdurate: either the show down would be delayed until Blue could go out on the street and finance himself on his personal collateral, or the pot was forfeit without a show down.

The Hell-roarin' Forty-niners

"To hell with yuh, then!" Blue whipped out his bowie knife, laid his five cards face down on the table and drove the blade through them deep into the wood.

"When I come back, ef thet thar knife's been so much as tetcht somebody's goin' to meet his Maker." Blue stalked out to find a pawnshop. For a while the others in the game and the few hangers-on hovered about, fascinated by the cold glimmer of that blade where it sank through pasteboard into the top of the card table. Deadly menace there. Finally waiting palled on them they drifted to other tables to watch the fall of the cards. Minutes passed, then——

"Good God!" One of the erstwhile players pointed to the table of conflict. There on top of the table knelt Shellbark, the camp's stray. He had worked loose Blue's Bowie-knife and was casually studying the speared hand.

Two of the men who'd been sitting in the game fled. The third—he who'd had the temerity to bluff Blue to his last extremity—took his life in his hands, undoubtedly, when he went over to the card table, swept Shellbark off and hastily readjusted the five cards as to the slit through their surfaces. Barely had he driven the knife home again in proper order when the door to Madame Moustache's opened and Blue Dick appeared, glowering. He was minus his watch chain and minus his two pearl handled revolvers.

Nevada City

Minus, too, all the confidence he had in himself as a blood-sweatin' B-hemoth. While onlookers held their breath, Blue strode to the table, jerked out the bowie knife and studied his hand. He looked up at the bland face of his opponent—he who so lately had dared a taste of that steel; looked again at the five pierced cards. Then with an oath he tossed his hand into a spittoon and quit Madame Moustache's, and the camp.

With the discomfiture of Blue Dick to prompt the thought, may one interpose here a mildly iconoclastic observation upon the whole genus of gold camp gambler as mirrored from the pages of our lighter fiction? Mr. Bret Harte started the vogue of the handsome, heart-of-gold card riffler. For the present generation the type was firmly set by the thin-lipped Sheriff in "The Girl of the Golden West," both in its dramatic and operatic interpretation. All the world believes the gambler of Argonaut days was a gentleman with a broad Southern accent and Paderewski hands who had slipped temporarily from his caste but whose fine, inborn instincts inevitably came to the fore in a moral crisis. Yet so few of us believe in Santa Claus!

The testimony of the surviving Old Timers agrees with the chroniclers of the Days of Gold in stenciling the professional gambler as a merciless, cold-blooded crook—more often than not a coward to boot—who was classed in the camp's social scale just one peg

The Hell-roarin' Forty-niners

higher than the Chinaman. He was tolerated only so long as his cold decks were not rung in too shamelessly. Not a camp in the Northern Mines but had its housecleaning of gamblers ever so often; sometimes they went out under the lash of a bull whip, occasionally under the sting of a bullet.

The writer was amusing himself in a ghost town of the diggin's on an occasion, reading the columns of faded print in newspapers of the Sixties with which the interior of a deserted cabin was plastered over. He found a highly moral verse which had been blue-penciled by some long vanished tenant of this shack—was it a stinging conscience that moved that blue pencil? "The Gambler's Wife" was the title of the newspaper verse. . . .

He brings no food; all hope is dead.
I have lived too long, a broken reed.
Five children crying, each for bread—
Oh, God! it makes my poor soul bleed.
Is it for this to him I gave
My hand and heart, my hope and youth:
To starve and be a gambler's slave
That's lost to honor; home and truth?

Nevada City takes high place in the roster of the old diggin's because it was there that hydraulic mining was evolved; thence it spread, to leave its vast scars along three hundred miles of Sierra slope; to circle the globe even to the Russian gold fields. As with every successive step in the development of

Nevada City

placer mining, the evolution of the hydraulic monitor was the answer of man's inventiveness to fortuitous discovery.

Shortly after rich stream gravels were discovered in the flats at the bottom of American Hill two miners, Heath and Hale, working up to the head of a ravine, discovered that the rich placer gravel "paid into" the side of the blocking hill. Here was a prodigy: gold away off a stream course and apparently locked in an old stream bed which had been covered by a mountain. Heath and Hale began sinking shafts through this hillside gravel until they hit the bed rock of a vanished river and then, by timbering exploratory channels along that bed rock, to scrape rich gold from the solid under surface of the mountain. Their example was followed by hundreds who began "coyoteing"—the name taken from the domicile holes of the despised animal—wherever gravel outcrop showed on the mountain side.

A desperate business. Hardly a week passed without some luckless wretch being caught by a cave-in of his flimsily timbered shaft. Yet rich returns prompted the burrowers to laugh at death. Coyoteville, up on the mountain side overhanging Nevada City, was a nest of burrows—and a bad place for a man to walk coming home from "doing the line" in Nevada.

Some unknown genius next was struck by the notion that a down-hill pitch of water would do the work of fifty shovels in stripping surface gravel

The Hell-roarin' Forty-niners

down to pay dirt; and so a company was formed to dig a ditch one and a half miles long from Musketo Creek to carry a head of water to gravel claims on the hillside. Thus the upper gravels above bed rock were sluiced away.

In July of '52 Col. William McClure, at Yankee Jim's down in Placer County, improved upon ground sluicing by bringing water in a wooden flume to a spot high above his gravel claim and then chuting it down against the bank he designed to work. The same year Chabot, a Frenchman at Buckeye Hill, back of Nevada City, copied the McClure rig, but added a canvas fire hose to the flume end to increase the head of water and enable the operator to turn the stream in any direction. A Connecticut Yankee, E. E. Matson, completed the evolution of the hydraulic monitor by adding a heavy brass nozzle to the fire hose. Not long before cast iron pipe supplanted the weaker canvas hose and great steel nozzles of from eight- to ten-inch diameter at the snout were shooting jets of water under 200 pounds pressure.

In the experimental stage of the monitor the nozzle was almost unmanageable because of the terrific water pressure behind it; the thing had to be anchored into position before the gravel wall its stream was to attack by heaps of rocks piled on top of it. A half dozen strong men were required to turn the nozzle while power was still on. One day a half-witted Chinaman held his shovel to the stream

Nevada City

a few inches away from the nozzle mouth to clean it. The Chinaman's arms were broken but—happy by-product!—it was noticed that the intrusion of the thin blade of steel had caused the nozzle to move of its own accord. Followed the perfecting of a balancing and turning device which completely harnessed the monster.

No intent of mine to stray into technicalities of hydraulic operations; I am not proficient in them myself. Suffice to say that an entire new system of mining technique had to be evolved, as in the instance of the gold quartz discoveries at Grass Valley four miles away. A technique requiring great capital and the combination of many men's efforts: water companies to bring streams down from ever-flowing sources up in the high country; corporations to float stock and provide the money for mounting pay rolls. Moving mountains was a far different business from shaking a panful of gravel on a stream's edge. Now, in the mid-Fifties and on for thirty years, gold rooting became sophisticated. With the gradual exhaustion of the placer claims of one-man or five-man standard, the hydraulic and the deep mines of quartz became supreme.

Beginning with Coyote Hill back of Nevada City, the great slashes in the mountains spread northward and southward. Fumbling geologists at last solved the riddle of placer gold lying under mountains: Once in Tertiary and Neocene ages before the Sierras were raised from a plain, rivers ran north

The Hell-roarin' Forty-niners

and south, laying down beds of gravel sometimes 700 feet deep. And in these primitive river beds water-worn gold accumulated: that very placer gold which was washed into present-day streams when the tilting of the Sierras sent new rivers cutting at right angles through the channels of the old. So, wherever ancient gravels showed from beneath superimposed overlays of lava, there went men with their ripping water jets to cut through to rich bed rock.

In their heyday the hydraulic mines of the Sierras represented an investment of around \$100,000,000.

New towns sprang up on the flanks of these great pits. Swollen pay rolls lured men from their independence in their waning placer claims and set them to work in rushing water streams. Nabobs—the engineers and the managing directors of properties valued in the millions—rolled high; there are several heaps of trash on scenic points of old toll roads which once were gilded resorts; names of these hotels still are given with a wink and a sly nod.

Rip up mountains! Get the yellow stuff on bed rock and to hell with everybody!

But the disdainful nabobs finally were forced to bow their proud necks.

The blow came from the valleys, the fertile sun drenched valleys which sported herds of antelope on their grassy plains when the first gold seekers pushed into the cañons of the mountains. And during the stern preoccupation of the gold rooters over

Nevada City

two decades these valleys had begun to fill with farmers. Fruits flourished where Indian campoodies once stood. Wheat fields strode out over black bottom lands. Here were the beginnings of a solid empire laid by men who cared nothing for gold that wasn't minted.

On the lower courses of the American, the Yuba, the Feather and the Sacramento farms began to be covered by trash from the hydraulic mines back in the hills. Some arable lands were covered to a depth of seventy feet. By 1880, so engineers estimated, 100,000,000 cubic yards of gravel and silt had been moved into the lower channels of the Yuba River alone. Every winter disastrous floods resulted from the filling of these river beds.

The Valley farmers organized themselves into an Anti-Débris Association and began to fight the hydraulic nabobs.

In all the spectacular legislative history of California no such battle! Staggering sums were raised by both sides; sums to be used, frankly, for "sweetening" senators and assemblymen. Lobbies were organized on the strategy of war boards at Sacramento. Fine scandals popped. Finally a legislature passed an Anti-Débris Act which was supported under a test suit in 1884. Permanent Federal injunction was levied against all hydraulic mining companies except a very few washing their débris directly into the Pacific.

Then swift decay for the great gold pits up in

The Hell-roarin' Forty-niners

the Sierras. Some suspended operations at once. Others tried to evade the stern eye of justice by operating during the winter only when natural discoloration of the streams would mask the presence of their tailings. But a host of deputy marshals—many of them venal—snooped on the operators and haled them up for contempt of court. These “spies,” for so the mountain folk denominated them, made themselves broad targets for rifle sniping on occasions. More than one mining camp was the scene of lively reception for a suspected spy—at Downieville it was custom to signalize the suspected presence of a hated servant of the law by hanging a stuffed pair of overalls from the flagpole of the St. Charles House; then let even the most innocent newly arrived stranger look out for himself!

But in the end the law prevailed. A whole population of miners moved out, leaving behind them dying towns and inerradicable scars against the green flanks of the mountains.

Downieville

Chapter 7

DOWNIEVILLE



WHEN I, very amateur showman, started to lead you around the faded cyclorama of the Days of Gold, pointing this and that painted tableau with my Highly Moral Lecture, my first pause was before a lighted tent in the winter solitude of the gorge of Yuba's north fork; within Major William Downie and a rag-tag crew drinking corn meal steeped in brandy water, the while they listened to a frozen stranger's tale of a lake of gold. Now see this lighted tent spawn into fifty—a hundred. See the roaring camp of Downieville—high-falutin'est of all the Northern Mines.

Before the snows had gone three months the following year of '50, the richness of the diggin's Downie and his Kanaka and negro partners had discovered had brought a thousand men to the Forks and—marvel of all that section of the Yuba—one woman, Mrs. Jim Galloway. Then, not only down both sides of the rushing green river ranged claims—an early miners' meeting fixed their size at thirty feet square—but up the gulches where little threads of water trickled under ferns miners ripped and haggled fat gravels.

The Hell-roarin' Forty-niners

Gold! Gold beyond all believing!

Down from Kanaka Creek comes riding one day a Pike from Missouri; a sad-eyed, ague-shaken man with a nugget that tips the beam of Cut-Eye Foster's gold scales at twenty-one pounds—\$5376 at the then current sixteen-to-one exchange. From Kanaka Creek he comes, so named after the discoverer of gold gravels there: that perfidious cousin to King Kamehameha who'd left Major Downie and the other boys to starve when he was sent down country to fetch grub only a few months back.

Bluefoot Thompson, tall, spindlin' State-o-Mainer who'd lost part of a foot in a bear trap, comes in from Slug Creek with his pack mule. Both cowhide *alforjas* slung on that mule's back cram-jammed with coarse gold—gold rocks, by the Jumpin' Jehosopha! Thompson sinks the whole kit an' b'ilin' in four days over Kuntz's monte game: the same slick Kuntz who wears his long beard tucked inside the neckband of his shirt and once was caught caching nuggets from the other fella's pile in that handy hairy pocket.

Gold! A pinch of gold for a drink. A pound of gold on the fall of a card out of the box.

Comes the year '51, and now the camp boasts five thousand. Now the panners and the Long-Tommers are going in for a new wrinkle—combines. Men of adjacent claims pool their titles and their labor, buy whipsawed boards from Durgan's saw pit, build a wing dam of brush and bowlders across the river and divert the stream into a wide flume.

Downieville

That leaves their section of the river channel dry, to work right down to the rich bed rock.

The Jersey Company of twenty members, following this scheme, cleans up the riffles for from twenty to sixty ounces a day. Tincup Diggin's, next door, gets that name because the boys who've pooled their claims knock off work and call it a day when each has filled a pint cup with nuggets and dust.

But have I told you the various methods of washing out placer gold? Even Alaska's Klondike rush now is so far back in the years that many readers will have to admit themselves tenderfeet in the matter of panning and riffing.

When the early gold grubbers were forced to forego the easy trick of "crevicing" gold from rim rock and took to the stream gravels, their auxiliary machinery was pick, shovel and gold pan—"wash-bowl" it was first called. I think the panning process is familiar to everybody: the slow dip-and-shake of a pan of gold-bearing sand until the heavier gold appears in the bottom. Some genius improved upon this laborious process by evolving the "rocker," which was an improvisation on the baby's cradle. Where the child's head would be was a square box to hold the pay dirt, bottomed with a cast iron sheet punched with holes through which finer gravel and gold dropped with the rocking motion and the sloshing of water on the mass. The under channel of the rocker was cleated crosswise to catch the gold—though the lighter flakes could wash away and be lost.

The Hell-roarin Forty-niners

Next improvement, the Long Tom.

This machine is a trough, generally about twenty feet long and eight inches in depth, formed of wood with the exception of six feet at one end called the "riddle," which is made of sheet iron perforated with holes about the size of a large marble. Underneath this colanderlike portion of the Long Tom is placed another trough, about ten feet long, the sides six inches perhaps in height, which—divided through the middle by a slender slat—is called "the riddle box."

It takes several people to manage properly the Long Tom. Three or four men station themselves with spades at the head of the machine; while at the foot of it is another armed with a shovel and a hoe. The spadesmen throw in large quantities of the precious dirt, which is washed down to the "riddle" by a stream of water leading into the Long Tom through wooden gutters or "sluices." When the soil reaches the "riddle" it is kept constantly in motion by a man with a hoe. Of course, by this means all the dirt and gold escapes through the perforations into the "riddle box" below; one compartment of which is placed just beyond the "riddle." Most of the dirt washes over the side of the "riddle box"; but the gold, being so heavy, remains at the bottom of it.

Downieville

When the machine gets too full of stones to be worked easily, the man whose business it is to attend to them throws them out with his shovel, looking carefully among them for any pieces of gold which may have been too large to pass through the holes of the "riddle." At night they "pan out" the gold which has collected in the "riddle box" during the day.

These methods, you see, required plenty of water. Where that lacked, notably all about the "dry diggin's" of Nevada City, men were forced to another expedient which soon grew to become the main adjunct to hydraulic mining. This was ditch digging to a water source above the placer workings. From the first Musketo Creek ditch, a mile and a half long, which was dug back of Nevada City in 1850, this branch of the mining industry leaped to gigantic proportions. Skilled engineers and their labor gangs went away back under the very eaves of Sierra crest, there dammed little snow water reservoirs and led their water streams over trestles and along the sides of precipices for distances of sixty miles and upward. Companies capitalized in the millions sold their water to the dry diggin's and the hydraulic properties; fought lawsuits and, on occasions, infuriated miners armed with barrels of black powder to blow up the ditches of corporations popularly held to be robbers.

All through the green silences of the old mining

The Hell-roarin' Forty-niners

country can be found, now, remnants of these remarkable engineering achievements; some murmuring with green water hurrying down, not to operate the engines of gold rooters but to feed the roots of fruit trees.

But, after this very unscientific diversion, back to Downieville. . . .

Look at the town which two years ago was a miserable huddle of huts and canvas shacks under the shadow of Piety Hill. Stores, hotels, saloons and gambling palaces straggling down a single main street, which jumps by rope suspension bridge across the river dividing Durgan's from Jersey Flat. Cut-Eye Foster's store: \$3 a pound for spuds; \$14 for a sack of flour; with a pair of boots running a fella' into \$20 gold money.

Here's a sample sheet from a store ledger which echoes the financial—and, incidentally, the social—tempo of life in a roaring camp:

Major Briggs

10 drinks	\$ 5.00
One box matches50
3 drinks	1.50
½ bottle brandy	4.00
1 bottle wine	5.00
½ dozen cigars	2.25
1 handkerchief75
Watermelon	4.00
8 drinks	4.00
½ bottle brandy	4.00
Pants	23.00

Downieville

Wonder what Major Briggs wanted with the handkerchiefs, the watermelon and the pants. . . .

A restless, driving tide of men sifting in and out of Downieville and as far down river as Goodyear's Bar, where they buried Miles Goodyear in a buffalo robe and a gold rocker in the winter of '49. Busted men; men who'd just made their strikes and were stepping wide; men who had abandoned claims that paid \$20 a day to find others paying \$100. Fella' makes a \$3000 strike down on Goodyear's Creek and comes into Cut-Eye Foster's to grub up; has to quit the camp at night to keep the whole town from trailing him to discover where he got those thick pokes full of nuggets he flashed over the bars. Fella' with a chip out of his right ear—mark of the Sydney duck—is caught robbing sluice boxes and gets thirty lashes on his back in front of the St. Charles House. First miners' meeting to decide upon hanging a man happens in '52.

The winter of '52 was the Bad Winter over all the Northern Mines, when river flumes were ground into toothpicks; when Dr. Robinson's Dramatic Hall, built on stilts over Deer Creek down in Nevada City, went downstream with an audience in it; when the bridge between Durgan's and Jersey Flat went out at Downieville. On one flat was the bakery, two butcher shops and Foster's store; on the other, all of the saloons. Desperate situation!

For a day folks vainly tried to make a crossing over the yellow water which filled the gorge with

The Hell-roarin' Forty-niners

such a tumult that even a shout would not carry across from one marooned group to the other. Then in the blackest hour an unnamed genius rose superior to the elements. Says a chronicler of the times:

A section of stovepipe was rigged up on the Jersey shore, and from it a ball of yarn was shot by gunpowder charge across the torrent. Eager hands seized the unwound ball on the Durgan side and pulled over after the yarn a heavier strand, then a stout rope, which was propped at both ends on jury struts. With the rope came a message from the Jerseyites: "What do you need most?"

They pulled back over the aerial tramway a single word scrawled in a shaky hand: "Whisky." So Jersey, munificent in its riches, sent over to the thirsting Durganites a basket of champagne and a demijohn of O-Be-Joyful, and received back several hunks of sowbelly and some bread. A fairer exchange nobody could ask.

A fairer picture of the convivial conventions of the Days of Gold nobody could ask, either.

Oh, the pioneers,
Had hairy ears. . . .

There was the Washington Saloon and Dance Hall: Before women came to Downieville—before

Downieville

the hurdy-gurdy gals were organized for their triumphal progress of a more or less regular Terpsichore through the diggin's, yet must there be dancing, even though the frailer sex lacked. So there was dancing at the Washington and at rival amusement places in Downieville. Simple enough: Certain men came with a patch of flour sack on the seat of their pants or—rarely—wearing a crinoline. The distinguishing white patch, or the precious hoops, indicated that the husky wearers thereof made themselves for the night partners to be led through the steps of the mazurka or the schottische—and to be treated at the bar.

And the newspapers of Downieville. . . .

Well, the old files which still are tucked away in the county surveyor's office—and the present surveyor, inheriting them, hasn't much of an idea of their value—would appear to indicate that Ye Editor of the gorgeous Fifties kept abreast of the times. Believe it or not, Ye Editor of the ram-paging Fifties was a tough bird. He went long on politics and longer still on personalities. He reflected in large measure the barroom talk of the times—for that was the only talk there was—and occasionally set a pace which was considered dueling stuff; it all depended upon whether the aggrieved party possessed what was popularly known as "the guts" or whether the offending scribe carried a reputation as a dead shot. This latter qualification was far from being a handicap to an editor in Downie-

The Hell-roarin' Forty-niners

ville. Subscribers to his paper were more than casually interested in his sporting rating as a marksman.

Consider these items, chosen at random, for their reflection of a delightful raciness of the times:

Poker Flat: Six fights came off in this place on the 9th inst.; and the blood and hair laying round loose the following morning gave the town quite a businesslike appearance.—*Sierra Democrat*, Nov. 27, 1858.

An *hombre* who had been "wooding up" was arrested at Port Wine last week after he had broken into several cabins and made other hostile demonstrations to attract notice. When taken, he announced he was "going to join his fathers."

Well, he was headed on the right road when the sheriff saved him.—*Sierra Democrat*, July 31, 1858.

Rogue Alley is gradually resuming the characteristics from which in times past it deserved the name. Thornton & Campbell have a law office on the West Side next door to the bridge; Taylor & Tyler are in the building next to that, and Wigenstein is putting up still another alongside of T. & T., which he can shape either into a law office or a barroom.—*Sierra Democrat*, Oct. 16, 1858.

Downieville

Our rooster Dick, a last year's chicken, is a gay bird and will fight any chicken of his age for any sum from \$20 up to \$100. So trot out your game birds.—*Mountain Messenger*, June 21, 1862.

The Widow Grizzle, of Lady's Canyon, her husband lately died on her hands of cholera. In the midst of his most acute bodily pain, when the hand of Death was nigh touching him, the gentle wife said to Grizzle: "Well, Mr. Grizzle, you needn't kick round so and wear out the sheets, if you're dying."—*Sierra Journal*, June 27, 1863.

Where the calcium glowed fiercest on Downieville I have reserved for other chapters.

Downieville would not be alive to-day but for the little white county courthouse which lifts its squat tower like a reef over the green surf of the locust trees; thither go the dribble of taxes from a starving county, and the occasional lawsuit. Downieville lives by virtue of the circumstance, established in its heyday, that once it was created the county seat, and there have been no better contenders since glory passed from the Northern Mines.

One approaches Downieville by a good highway which comes out of Nevada City and follows the inuosities of an old gold stream through a gorge o crammed with Alpine beauty as to shorten the

The Hell-roarin' Forty-niners

breath of the most seasoned mountain lover. Bare mountain scarps with snow scars down to timber line; azaleas with a swooning fragrance along the marge of a stream which once was played with by puny man but which is now master of itself again; glades and pine shadowed coverts all brown with pine needles.

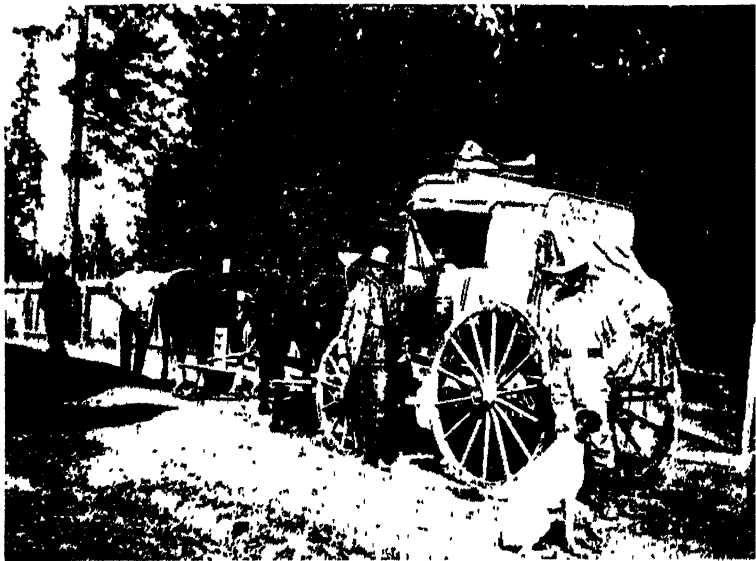
Then suddenly a turn of the road gives you Downieville: a few white roofs and spires thrusting above the lagoon of locust green. A town asleep.

The single business street which once roared with life is now a shaded lane of silence. Every other store building either is in decay or has its windows blinded by iron shutters. The great gold scales still under their glass housing in a general store haven't tipped to fat nuggets in forty years. If the sheriff is approached with a degree of *comraderie* he may show you the gallows which was used in the last county hanging in 1877 and which has been dismantled and stowed away, with canny foresight, in the attic of the county courthouse.

The tempo of the sleeping town is best marked by the Sunshine Club, a select organization of gray-beards of the generation that followed Downieville's prime: men who have had no urge to see the great world beyond the portals of the Gorge. The daily meetings of this club are held a reasonable time after breakfast in the chairs on the sidewalk before the old St. Charles House and remain in session until the first mountain chill after sunset suggests



THE LAST OF THE MOUNTAIN HOUSE ON THE
DOWNIEVILLE STAGE ROAD.



THE DOWNIEVILLE STAGE.

(From photograph taken in 1893.)

Downieville

adjournment. Order of business is without complexity; it embraces mostly settin' and occasionally, when a "towerist" automobile threads down the narrow street to give food for speculation, settin' and talkin' both.


The nigh side of a locust tree there at the scene of the Sunshine Club's gathering has been flattened and worn through to the cambium layer by a half century of propping boot heels.

A dog fight to-day is pabulum for a week's casual conversation by members of the club.

The Hanging of Juanita

Chapter 8

THE HANGING OF JUANITA

OWNIEVILLE was a tough town. Its gamblers were the most hard-boiled of all the Northern Mines. Its booze fighters died the hardest. The highwaymen who plied the gold trails leading to the little town in the shadows of The Forks were quicker on the trigger than the general. Yes, Downieville was a bad, bad town—and proud of it. But once Downieville pulled a trick of which it was not so proud. . . .

Big doings were on the cards for the Fourth of July of the year '51. Aside from the standard festivities of that day, a Democratic county convention was to have its three-day session just before the Fourth, and that meant a group of brilliant orators up from Marysville, the Valley town—Downieville was then in the same sprawling county with the larger town—and a general whoop-la. That convention brought to Downieville the most representative gathering of potentially great men in the town's history. It was presided over by one William Walker who before many years was to gain the sobriquet of "The Gray-eyed Man of Destiny" by his filibustering sallies in Mexico and Nicaragua.

The Hell-roarin' Forty-niners

Among the delegates from Marysville was a young lawyer, Stephen J. Field, destined to wear the robes of a United States Supreme Court Justice; William M. Stewart, afterwards a Senator from the new state of Nevada; Charles N. Felton, who became a California Congressman; Charles S. Fairfax, a big blond Englishman who indulged in no swank over the circumstance that he was the last Lord Fairfax.

Appropriately the three days of convention oratory came to the climax on the glorious Fourth, some of the bright particular stars of the Democratic firmament being chosen to grace the platform whereon the American eagle would perch in his pride. Miners, flush with gold, swarmed into town from up and down the river until the huddle of wood-and-canvas shacks both sides of The Forks was a-boil with full three thousand men. Earnest drinking was suspended only long enough to allow the orator of the day to wreath his word garlands over the fair brow of Liberty, then it was resumed with an enthusiasm amounting to positive fury.

One of the central eddies for the restless drifting tide of heavy footed miners was Jack Craycroft's gambling palace: monte, twenty-one, poker or name your own game. A long, low ceiled room roofed with sagging muslin; enormous gold framed mirrors behind the bar attesting to miraculous sure-footedness of the mules that brought them over mountain trails; crowded close as might be the tables for the games, each presided over by lookout or dealer. And

The Hanging of Juanita

the milling, driving crowd that pushed into vacated chairs or loitered behind the players to catch vicarious thrills from the flip of a card: Here was a cross section of life in the placer diggin's.

Men in homespun and men in broadcloth; with clay stained wool hats and immaculate stovepipes; with shawls or vividly dyed serapes about their shoulders. Chileños under sombreros with little balls of gay worsted bobbing about the brims rubbed shoulders with squat, bulldog-faced Sydney ducks carrying their convict nicks on the lobe of the right ear. Lanky Pikes from Missouri, ague-ridden, sallow, one-gallused, spurted tobacco juice in dumb disregard of dandies' varnished boots. Blond Germans bucked Mexicans with brown mud in the irises of their eyes and the handle of a dirk making a bulge under their shirts. Even the despised Chinaman, with his conical bamboo hat and fresh silk braided into his queue in honor of the white man's holiday, humbly snatched a seat and passed his buckskin poke of gold to the dealer.

Juanita and her man sat at one of the monte tables; Juanita whom men called by a short and ugly word. Young she was—some say hardly twenty—and of a full and luscious beauty suggestive of pomegranates burst by the sun. Her cheeks and bold bosom were ivory, blue-black was the high mass of her hair topped by tortoise shell, and the velvety brown of horse-chestnuts colored her eyes. Juanita was a Sonora woman. Because she'd come to Downieville

The Hell-roarin' Forty-niners

with a man of her race who was not her husband, Americans had tacked that ugly name to her; so far as I can find out they had no other reason for so doing.

This Fourth of July night Juanita and her man were all intent on the falling of the cards from the dealer's deft fingers. The stack of doubloons and American silver dollars before them grew and dwindled with the turns of luck. Eyes of both were glued to the game.

Then into Jack Craycroft's place came big Jock Cannon—his given name was Frank but Jock was what he answered to commonly. Big Jock Cannon from up river, drunk and playful. He was surrounded by his own particular group of satellites, for the big Scotsman belied the legends of his race and when he was drunk he was a fool for buying drinks. So far as contemporary testimony runs, that was his only fault—if fault it can be counted.

Now Jock Cannon is settin' 'em up, and settin' 'em up right. The unwritten law of Downieville's barroom code is that no man may order less than an ounce-worth of drinks for a round; if he doesn't feel like spending \$16 at a crack he'd better stay away from the bar. No snoozers need apply! Big Jock lays five fat nuggets in the pan of the bartender's scales and suggests a wee dram for everybody within calling distance. That ceremony over, Jock Cannon and his bar flies circulate among the

The Hanging of Juanita

tables. The big Scot comes to an unsteady pause behind Juanita.

Owlishly Jock eyes the smooth bare shoulder so close to him, then lifts one of his bear's paws and gives the ivory colored flesh a mighty whack. Instantly Juanita is on her feet. Her eyes have hardened and narrowed to a rattler's darting glance. Up comes her crinoline and with a swift dart of her hand to her garter she is armed with a slender dirk. Her man is fumbling for something secreted under his shirt.

Crackling Spanish from Juanita's just-parted lips—big Jock's surprised and stumbling back step. Then when others get between the little fury and her big tormentor the incident is closed. No, not quite closed, for down below the fumes of drink in the Scotchman's skull is planted a sullen little thought: Drew a knife on him, eh? The dirty little slut!

Near morning Cannon, very drunk and irresponsible, tried to force an entrance into the home of Juanita. He had kicked in the door before his satellites pulled him away. After a few hours sleep and with the liquor still boiling in him, Cannon went back to the house of the Sonora girl. His friends said afterwards in his defense that Jock went back to apologize for his rudeness of the night before. Juanita's paramour told the informal jury that tried him for murder the big miner returned to revile Juanita in the few indecent words of Span-

The Hell-roarin' Forty-niners

ish he possessed. One is inclined to lean to this latter version. At any rate, friends of the Scot saw him go to the door of the Sonora girl, saw her suddenly leap at him and plunge a butcher knife into his breast.

"Murder!" The cry was bellowed through Downieville: into saloons, hotels, gambling houses. "Jock Cannon stabbed to death by the Sonora gal!"

This was the day after the Fourth, the day after the big community drunk. Safe to say a whole lot of the citizens still were boozy and a whole lot more were suffering that nervous reaction some mute inglorious word blacksmith has designated "the jumps." Even that is no palliation of the hideous thing Downieville proceeded to do. A mob of men marched to Juanita's home and found her awaiting their coming calmly and with a smile of greeting. They bound her and her man and carried them to an empty building on the main street to stand "trial."

You must know that Judge Lynch of the California Fifties wore a little less shabby ermine than he does on the rarer modern occasions when he sits on his lawless bench—sometimes hooded in white. In those days of a very shadowy dominion of law, when men of the diggin's took the law into their own hands they were rather scrupulous to provide at least legal form and ceremonial: a jury, a judge, prosecutor and counsel for the defendant. Perhaps no oftener than in our times was the jury swayed by the sentiment of the mob whence they had been

The Hanging of Juanita

elevated. In a surprising number of instances these extralegal courts dispensed even-handed justice. Not so in the case of Juanita, the Sonora girl.

She and her paramour were tried together. The interior of the vacant store was packed with spectators, and a mob to the number of four or five hundred jammed the street in front. A self-appointed crier stood in the door of the improvised court room and passed the news on to the press outside: "The gal's smilin' an' shakin' her head at what Bill Guernsey says from the witness chair."—"Now Doc Carr's on the stand, tellin' how the knife cut Jock's heart in two——"

A young lawyer from Nevada, who'd come to hear the oratory of the county convention and who was appointed counsel for the accused, did his best to save Juanita's pretty neck. Once he suspended proceedings while, through an interpreter, he held a whispered conversation with the two prisoners. At the end he faced the judge and twelve jurymen.

"Gentlemen, you cannot vote to take this woman's life. Perhaps you may feel her life must be sacrificed for the crime she freely admits having committed, but Almighty God has ordained that the life of this Juanita must be sacred for many months to come; for upon it depends the life of another—her unborn babe.

"I challenge you squarely, gentlemen: You cannot rob that unborn child of life because of the fault of her who is to become its mother."

The Hell-roarin' Forty-niners

Above the buzz of surprise in the store rises the voice of the self-appointed crier at the door: "He says Juanita's goin' have a baby an' we kain't hang her!"

On orders of the man sitting as judge two of the camp's self-styled doctors were ordered to retire with Juanita to an adjoining tent. They reported back to the court that this was a trick of the defending counsel; the girl was not *enciente*.

The jury found her guilty and ordered that she be hanged. Her man went free of the murder charge.

What of the tension outside that shabby court room during this mock trial? By great fortune I found, in Downieville, an Old Timer's scrapbook, wherein was the narrative of that Charles N. Felton who came up from Marysville as a Democratic convention delegate: what he saw of the hanging of Juanita. And Felton injects a strong note of melodrama into the scene.

When the mob dragged Juanita from her home for trial, says Felton, he and the other Marysville delegates who had remained in Downieville over the Fourth were shocked at the implications of what was going forward. Especially was young Steve Field, he who was afterwards to become Justice Field of the Supreme Court at Washington, distressed and sympathetic of the girl's hard lot. "Find Walker!" Field shouted. "If anybody can handle this mob Walker can."

The Hanging of Juanita

The Marysville men scoured the town for William Walker, whose magnetic personality had dominated the convention and the Fourth of July demonstrations following. Walker, they discovered, and Sheriff Gray had started on horses over the trail for the Valley two hours before the murder cry set the camp's blood lust crying vengeance. They sent a horseman at breakneck speed up the mountain to overtake Walker and bring him back to the scene of violence, but the future filibuster never returned. It is an interesting speculation whether even the Gray-eyed Man of Destiny could have prevailed against the half-drunk, wholly crazed mob of ruffians.

With this hope gone, young Steve Field tried the persuasive power of his own tongue—and even in his youth Field had gained fame as a pleader and knockabout orator. See this tall, spare, black headed youngster in his long surtout and frilled stock mount a barrel in the heart of the mob. He has the face of a knight, all glorified by his high purpose.

"Gentlemen of Downieville, you cannot hang a woman! Think, I beg of you! Our fair California has been one of the sisterhood of states not ten months. Her fame is world-wide. Would you have it rolled off the whole world's tongue that Californian men are cowards enough to——"

A voice from the mob—"Aw, to hell with him!"

The Hell-roarin' Forty-niners

Steve Field is knocked off the barrel and rolled in the dust.

Her executioners gave Juanita an hour in which to prepare for death. She was escorted to her own home and guards placed before the door. A carpenter climbed up on the struts of the new bridge then a-building across one fork of the river and rigged a rough gallows. Men tallowed a rope and fashioned the hard cruel knot of the noose.

It was four o'clock and the first lilac shadows were creeping from Piety Hill down into the gorge of Downieville when Juanita came from her house. Men with rifles surrounded her. The mob followed hooting. Perhaps at a distance and alone a man walked unsteadily and with horror in his eyes—Juanita's man.

The Sonora girl was dressed in her finery: red silk skirt bulging over its hoops, new black stockings, the short frogged and flower sprigged bodice of her people. A rich *mantilla de Manila* was thrown over her shoulders to hide her bold ivory colored bosom. A new Panama hat sat upon her black head jauntily. She was lifted onto the gallows. Juanita swept the crowd of bearded faces and the close-packed ring of hungry eyes with a look of scorn. She saw a single friend and with a smile tossed him her Panama before her hands were bound. When asked if she had any farewell to give—sardonic request—the Sonora girl answered ringingly: "I would do the same thing again if I were treated as I have been."

The Hanging of Juanita

Then she died.

Where she was buried none of Downieville's Old Timers know. They will show you the bridge across the river and say, "Thar's where they hung the Spanish gal." But it isn't even the same bridge, though it looks old enough to be.

I found a strange echo of this tragedy when I was prowling around the old ghost camps in Downieville's vicinity. It was in a long vacant and dilapidated house near the once booming town of Brandy City high on the ridge above The Forks. A fragment of news print cut from some old newspaper was pasted on the wall of what once had been a living room. "Lines on the Hanging of Juanita," ran the head and, "By George Barton, Downieville."

The sun sank low down in the West
And tinged with gold each mountain ridge.
The crowd closed in and, eager, prest
Onward toward the fatal bridge
That spanned the rapid mountain stream.
And thousands darkly lined each shore.
The noose was dangling from the beam.
Her dream of life would soon be o'er.

Gayly she climbed the fatal pile;
To one she knew, with graceful bend,
Flung him her hat, and with a smile:
"Adiós, amigo"—good-by, friend;
And pressed the noose beneath her hair,
And smoothed it down with steady palms.
Like making up her toilet there,
Ere Death embraced her in his arms.

•

The Tevis-Lippincott Duel

•

Chapter 9

THE TEVIS-LIPPINCOTT DUEL



STRANGE fatality appears to have attached to Downieville's early celebrations of Fourth of July. At the camp's first big blow-off on the nation's birthday in '50 a man got thirty-nine lashes on his bare back before the eyes of a blood-hungry crowd. The next Fourth witnessed the brutal episode detailed in the last chapter. July 4, 1855 set in train deadly hatred between two men which carried both of them to the field of honor—mellifluously so called—and one to his grave.

A woman was at the bottom of the Tevis-Lippincott affair, but not in the way of the usual red-cloak-and-rapier romance. One of the principals in the affray put himself in an irretrievable position. The other pulled a fatal trigger reluctantly. All in all, the Tevis-Lippincott duel was unique in California's bloody record of formalized murder.

A perfectly blameless reformer was the indirect cause of two men's facing one another with double-barreled shotguns at forty yards. Her name was Miss Sarah Pellet and her line was temperance. In the hard-drinking Fifties temperance was a mighty forlorn hope—nowhere more ragged than in the

The Hell-roarin' Forty-niners

tough mining camps of California where it is recorded that a whole camp, including Chinamen, would make the week between Christmas and New Year one continuous bender. But with the faith that sustains reformers, Miss Pellet crossed the Isthmus, tried out her work in San Francisco and then mounted a mule—no stages then—for the Northern Mines.

The temperance lady's reception in the diggin's was not noteworthyly chivalrous. Although any kind of a woman not a squaw still was a novelty throughout the placer camps sufficiently compelling to cause men to drop their gold pans and hike ten miles over a trail just for a look at a crinoline, a woman preaching against the Demon was novelty with comedy trimmings. Lordly males of the Fifties had it as an axiom that woman's place is in the home; individuals of the gentler sex were referred to as "females," wives addressed their husbands as Mister. So what the hell kind of a business was it for a middle-aged female to go traipsin' round tough mining camps preaching temperance? Temperance!

Editors in Grass Valley and Nevada City took some sarcastic cracks at the zealous Miss Pellet, and when she undertook to establish societies of the Sons of Temperance in those men's towns she didn't get very far. But Downieville had a Chevalier Bayard for an editor, one Calvin B. MacDonald who conducted the *Sierra Citizen*. He rebuked in print the rowdy editors of the camps farther down the moun-

The Tevis-Lippincott Duel

tains and invited Miss Pellet to come to Downieville and—as we'd say to-day—do her stuff. The crusader came. On her mule and over the high trails: no easy pilgrimage for a lone woman.

I have found but one contemporary footnote, and that scanty, on Miss Pellet's physical characteristics: "well put up but dragonish." That's a handsome word—dragonish. I think it daguerreotypes Sarah Pellet from her corkscrew curls to her white cotton stockings. Dragonish with that gimlet-eyed hardness of an English suffragette chained to the fence palings before the House of Parliament.

Consider, now, young Robert Tevis of Downieville. He was a man in his early thirties not long out from Kentucky. Family was his, good breeding, a certain aristocratic intolerance common to Southerners. He could be jolly and companionable or he could give himself to an imperious mood which made him dangerous. Men who knew Robert Tevis said that temperamentally he was undependable. Incidentally, he was an ardent hunter and counted a sure shot.

About the time Sarah Pellet came to Downieville young Tevis was nursing political aspirations, with his eye on a seat in Congress. His affiliation was with the Know-Nothing Party just risen from the corpse of the Whigs and rapidly gaining strength in California. Perhaps more from political motives than moral conviction Tevis became one of the leaders in the Sons of Temperance branch the lady

The Hell-roarin' Forty-niners

reformer started in tough Downieville. What strength the Sons mustered must be a matter of conjecture; mine is that it did not grade very heavy. Downieville in 1855 was not a camp likely to troop *en masse* to a mourners' bench.

So now we see Sarah Pellett at her big job of sweeping back the sea of rum with her little broom, having her meetings with the Sons, orating—like as not—before the St. Charles House on Saturday nights when the boys were weaving from the Washington Bar to the Golden Nugget. And quite some shakes of an orator Sarah must have been, for when Fourth of July was in the offing and the camp's celebration committee was looking around for somebody to deliver the regular Fourth oration at the "exercises," Sarah's name, like Ben Adhem's, led all the rest. You must know this meant high honor for the Demon fighter. In those days rival camps bid as high as a thousand dollars to secure the services of a noteworthy silver tongue to scream with the eagle on the nation's birthday. It was a point of pride with the respective diggin's to have the ring-tailed word slinger obtainable for that occasion.

Young Tevis, Son though he was, opposed the selection of Miss Pellet for orator; he coveted that job for himself for the opportunity it offered to rise and shine before the electorate of Downieville. It was with difficulty that Editor MacDonald and others of the Fourth of July committee persuaded

The Tevis-Lippincott Duel

Tevis to accept the lesser honor, that of reading the Declaration of Independence. The brooding young Kentuckian stipulated he should have the privilege of adding some "explanatory notes" to his reading.

The big day swung around and was ushered in by anvil firing which filled all the narrow gorge of The Forks with thunder. Miners came trooping in from Kanaka Gulch, from Slug Canyon, Indian Valley and Goodyear's Bar. Hairy men; men in wool hats and men in bell-crowned beavers; Chileños, Frenchmen, Mexicans and the timid, furtive-eyed Chinese. A bad day for the Johnny Bulls; they had to stand treat at every bar or stand for a fight. When everybody was well lickered and the last of the St. Charles ham had gone, everybody trooped across the bridge to Jersey Flat where the speakers' stand stood draped in starred bunting. A battery of anvils by the river side signaled the opening of the "exercises."

Robert Tevis, every inch the aristocrat in his high collared coat, sprigged waistcoat and frilled stock, stepped to the rail and intoned in sonorous voice the *vade mecum* of the Fathers. Finishing that, he launched upon the stipulated "explanatory notes." But it soon became apparent that these notes had so elastic an interpretation in Tevis' mind that they could stretch indefinitely. Beginning with the state of the thirteen colonies, the speaker traced the progress of political thought down to and inclusive of the current campaign in Downieville. The young

The Hell-roarin' Forty-niners

politician was working for himself. And the orator of the day, Sarah Pellet, had to sit with a set smile on her dragonish features while the youngster stole her spotlight.

One of the committeemen sent a tip to the anvil firers by the river to tune up their instruments. They did, and Robert Tevis was forced to make his bow before the resultant uproar. He took his seat, white with rage. Miss Pellet got her innings then.

Downieville was hugely delighted at the way Robert Tevis had cheated the female orator. Not so the Hon. Charles E. Lippincott, State Senator and stanch henchman of United States Senator David C. Broderick, who was himself killed in a famous duel in '59. Lippincott may have had designs on that congressional seat to which young Tevis aspired, or it may have been that he was just disgusted with the way the Kentuckian had stolen a privilege to exploit himself from a Fourth of July platform; at any rate, he contributed a bitterly sarcastic communication to the *Sierra Citizen*, flaying Tevis neatly. Unfortunately, files of that paper were burned in one of Downieville's hardy perennial fires and I have not the original provocative document to reproduce.

Day after the appearance of the paper Tevis stalked into the office of Editor MacDonald and demanded the insertion of a "card" in the next issue of the paper which characterized the Hon. Lippincott as "a liar and a slanderer." Vainly did the

The Tevis-Lippincott Duel

editor plead with the hot-head that the publication of that card would be tantamount to suicide on his part; Lippincott could shoot the eye out of the dollar goddess at twenty paces. Tevis was stubborn. The card was published. Lippincott's seconds waited upon the Kentucky youth immediately. Being the challenged party, he dictated that weapons should be double barreled shotguns loaded with ounce balls at forty yards.

Consternation in the lodge of Odd Fellows, in which both principals had memberships. Brothers visited Lippincott and Tevis. The former professed himself more than willing to receive Tevis' apology and heal the breach; the latter stood stiff-necked upon his honor. "Several times the difficulty was supposed to be settled, but as often it would be renewed by certain chivalric vagabonds who seemed eager to see blood shed when not flowing from their own veins."

The day after peace negotiations had failed, the sheriff of the county tried to keep an eye upon the two principals; but they eluded him and with their seconds—John Marshall for Tevis and E. J. Smith for Senator Lippincott—and two doctors, they went on horseback to a little flat high on the northerly ridge of North Fork cañon and not far from the Brandy City race course. A somber and a dour place. Just when the seconds were pacing off the ground, the vigilant sheriff and a posse were seen coming up the steep trail. Nothing to do but for

The Hell-roarin' Forty-niners

the whole murder party to mount horse and cross the line into Yuba county, not far away. The peace officer was stopped by an invisible mark through the pine needles.

Here in a similar glade, while the seconds were going through all the stilted preliminaries provided by the code, Lippincott and Tevis at opposite ends of the open course practiced shooting at the necks of bottles. The seconds afterwards said both showed skilled marksmanship. Peculiarly grim, that authentic touch in the story: Two men who had never spoken to each other—for so Lippincott declared before the duel—back to back in a dark forest glade trying out their handicraft preliminary to attempting each other's lives.

The seconds measured off the ground just as the light was beginning to fail and blue shadows were pushing down from the top of the ridge. Tevis won the toss for position and chose the higher ground. The loaded weapons were placed in the duelists' hands.

Through much grubbing and burrowing in library nooks I have been able to run down a contemporary account of what followed; from the pen of Editor MacDonald, no less, whose paper carried the provocative cause of this affair. Says MacDonald, writing many years later in the *Sacramento Union*:

Lippincott was a low, heavy-set man with light hair, piercing black eyes, deliberate and

The Tevis-Lippincott Duel

resolute in his speech, and with that peculiar physical structure indicating steadiness and self possession. . . . Mr. Tevis was a tall, spare man, of a highly nervous and excitable temperament. He came from Kentucky and possessed the ideas of chivalry and honor prevailing in the South, and was an excellent sporting marksman but too little skilled in woodcraft to know that in shooting down hill one should aim low, else he will overreach his mark. In walking out with him on the evening before the meeting I observed his manner was abstracted and his speech confused and faltering as he talked of his solemn situation; but his courage and resolution were unwavering, and he seemed absolutely athirst to spill the blood of one who had made him the object of mortifying ridicule. . . .

The combatants took their places forty yards apart; the ground was a little sloping and the highest situation fell to the lot of Tevis. The sun was going down upon the peace and happiness of two families far away, and upon a brilliant young man's ambition and life. As his second walked away he turned toward Tevis and laid his finger on his own breast as an indication where to aim; and Lippincott observed the gesture and fixed his eyes upon the same place. The word was given; both guns cracked at the same instant. Tevis sank down, shot di-

The Hell-roarin' Forty-niners

rectly through the heart; and a lock of hair fell from near Lippincott's ear.

The fallen man had not made the necessary allowance for descending ground; and his murderous lead had passed directly over his adversary's left shoulder, grazing his face.

So died Robert Tevis, the young man who had thought to steal some Fourth of July thunder to advance his candidacy for Congress.

The doctors—both of them had played an inglorious part in the hanging of Juanita, the Spanish girl—dug a shallow grave and buried Tevis where he fell. Following day the body was exhumed, taken to Downieville and there interred in the bleak hillside cemetery, where to-day you may see a memorial stone. Lippincott fled to Nevada for a time; when he returned to Downieville "he felt himself like another Ishmael. Old friends extended their hands reluctantly."

But [says Editor MacDonald parenthetically] Miss Pellet, regarding herself as the innocent cause of the duel, stood courageously by her friend, visited him in his exile, exerted all her personal influence to reconcile public opinion to the survivor, and behaved altogether like a brave, true-hearted woman, as she was and still is in her fancied mission of reform.

"

The Tevis-Lippincott Duel

At the outbreak of the Civil War Lippincott returned to Illinois, his native state, enlisted in the Union cause and came out of the Rebellion with the stars of a brigadier general. He was rewarded with the place of State Auditor of Illinois.

As for Miss Sarah Pellet, the lady reformer, she seemed to have a positive genius for scattering trouble from her crinoline. Editor MacDonald says that after the Sons of Temperance fell back into sin in Downieville, she carried the torch into the wilds of Oregon. There, on an occasion when a gallant settler volunteered to act as her guide and protector through a stretch of wilderness, Indians descended upon his homestead during his absence, slaughtered his family and burned his cabin.

Afterward she returned across the plains to the East, and I have lately heard of her at a Woman Suffrage Convention in Syracuse. [MacDonald was writing in '79.] Her Temperance Division in Downieville has melted away; some of her cold-water converts are dead; others have been separated from their families by the foul Fiend whom she almost drove from the place; and one remains to be the brief historian of her memorable and melancholy campaign."

-

Roads to Gold

-

Chapter 10

ROADS TO GOLD



FIRST trail makers in the Sierras were the wild creatures: deer and elk passing from winter feeding grounds in the lower foothills up along the ridges to rich summer browse of the high mountain meadows; brown bear and grizzly lumbering over paths between fishing pool and berry patch; great stalking cats and their companion murderers, the wolves. Trails of the wild enduring through the centuries.

Then when the Spaniard came to the California coastal valleys with his herds of wild longhorns and ran them on a grand free scale over leagues of the Sacramento and San Joaquin valleys, strays broke away from the vaqueros and ranged these trails of a high wilderness, fellows to the roving deer. Threads through the wilderness made by hoof and pad were as well known to the forest folk as was the Appian Way to Rome. They were the hunting trails of the Indians. Frémont and his Delaware tribesmen used them to break through the Sierra barrier when that somewhat amateurish Pathfinder crashed into pastoral California from the Oregon country.

The Hell-roarin' Forty-niners

So when, in the spring of '48, the whisper of what John Marshall had found in Sutter's mill race at Coloma rose to a bellow: "Gold! Gold!" and sailors from ships at anchor in San Francisco Bay, ex-soldiers from Stevenson's regiment and the Mormon Battalion, shopkeepers and printers from the *California Star* rushed pell-mell into the mystery chambers of the Sierras, their way through the wilderness was already marked for them. The animal trails offered the only sure avenues for penetrating the labyrinths of cañon and ridge.

Remember that it was little less than a master adventure on the part of the first of the Argonauts, this swooping into a wild country, for the better part only sketchily mapped by the Spanish first comers to California. The Dons themselves had been afraid of the Sierras and its Indians; they were lovers of sunlight and they wanted none of the mountains' gloomy infinity of forests. A few tough American trappers like Peter Lassen and Jim Beckwourth knew their way along streams where beaver and marten once were plentiful. But not one in a thousand of the boomers of '48 ever had ventured to penetrate the great barrier which shut in the newly Americanized territory away from the rest of the continent.

So the fellows who pushed up the forks of the American River above the site of the first gold discovery, the fellows who ventured to follow the Río de las Uvas—quickly corrupted to Yuba—through

Roads to Gold

the gates of the mountains clung to the game trails. That chiefly because they offered the easiest approach. The craft of the wild kind always prompts a keeping to the ridges in getting over rough country; no blundering down precipitous cañon sides when there's a safer, though longer, way around.

The first trails of the Argonauts thus were a heritage from the wilderness itself.

And these earliest gold seekers of '48 carried their own grub, relied upon nobody to keep open communication back to food supplies. When their grub failed they either cadged some from a more provident boomer, back tracked to the smell of sizzling bacon in the settlements or—starved. Their invasions of the gold streams were swift and tentative—matters of weeks. There was no possible provision for longer stays.

But before the first popeyed Forty-niners from the East got off ship from Panama or started lowering their prairie schooners with block and tackle over the precipices of Sierra Crest, first permanent lines of communication with the gold camps began to be established. The game trails into the headwaters of the American, the Yuba and the Feather became the well-worn trails of the packers.

Of these rawhide-and-steel mule wranglers and hitch throwers and of their successors, when trails broadened into roads: the mule skimmers of the freight wagons, the dispatch messengers and the lordly stage drivers—of these I sing. Almost leg-

The Hell-roarin' Forty-niners

endary figures these decadent days when the squawk of the auto horn dares flaunt the majesty of the mountains' high places and break the peace of old gold towns in their sleep; when the toughest break that can happen to a man is to be forced to change tires on a grade. Hark the tinkle of the old lead mare's bell ahead of a string of fifty laden pack mules coming up the forty per cent grade to Brandy City. See the leaders of a six-span team swing into the brush to turn a four and a half ton freight wagon and its trailer around Bloody Curve as neatly as you'd tool your sports roadster into a filling station.

Ole Dan'l Dancer run his jacks
From Poker Flat to Nigger Slide.
He fed his mules on slum an' tacks;
He packed pianners on their backs
An' never mussed a hide.

When San Francisco caught its breath after the first flush of the gold fever, certain shrewd ones preferred trading at sky prices to standing up to their waist in ice water. They sent goods up-bay to the helter-skelter settlement which grew about Sutter's Fort and adopted the name Sacramento. There speculators gave the prices another boost and forwarded a part of the loot up the Sacramento River by sloop and barge to the mushroom town of Marysville squatting in the mud where Yuba comes down to join the larger river. From these two

Roads to Gold

depots, Sacramento and Marysville, the packers' trains went out to all the spreading network of the Northern Mines: from Sacramento up the forks of the American River; from Marysville eastward to follow the tributaries of the Yuba away up to snow line.

A discharged soldier from Stevenson's regiment, one who had driven an army commissary train over the parched thousand miles of Cooke's Wagon Road in the war with Mexico, was the first to organize a pack train out of Marysville in '49. He knew mules and men, this Daniel Dancer. It may be guessed that he chose for his organization skinnners who'd been under him in the march with Kearny; where he got the money to buy his first string of Missouri mules—\$500 for a prime animal—must remain exclusively in possession of Daniel Dancer's shade.

Cast yourself back in time to an hour around two of a morning—any morning—in the year '49; scene, the river bank at Marysville. Pitch pine flares light the confusion of baled and barreled goods, pirouetting mules vicious after a week on river grass, cursing packers. The pack saddles go on, then the goods: flour barrels balancing themselves in slings either side of the crosstrees, lighter stuff meshed atop and battened down with tarpaulins. Then the pack ropes thrown in the various hitches best accommodating the bulks of the pack—the old army, the squaw and the diamond.

Squealing, braying, cursing—"Out ye go, hell

The Hell-roarin' Forty-niners

take yel" The bell mare, object of every Missouri demon's misconceived passion, takes her place at the corral gate, and at the first white light in the east the pack string is off for the mines. Fifty, seventy—in later days of opulence and big business as high as a hundred and fifty pack animals in the train, with two men on horses to each fifteen mules and the boss packer riding ahead.

East and east in a cloud of valley dust till noon signals the halt at the end of a day's work. Here a corral run by Mexicans who sell hay at the rate of \$100 a ton and are not above lifting an animal if they think they can gamble against the chance of wearing a hemp necktie.

Three o'clock next morning comes the cook's reveille—banging of two pans together—"Come an' git it!" And another twelve or fifteen miles covered before noon. So the string of animals inches itself out of the valley and up to where oaks and madrone clot about the crests of rounded foothills. There the first of the diggin's, Rough and Ready, say, or Deer Creek Dry Diggin's, where Caldwell's big store receives its quota of flour, beans, sowbelly, shirts and what not.

Now, lighter and snugger as to packs, Dan'l Dancer's pack train climbs the real heights where thick timber shuts out the glare of the sun, where of nights the grizzly and the cinnamon come prowling to throw the whole string of mules into stampede. Here the hoofs of pack animals broaden the deer

Roads to Gold

runaways atop the ridges, and descents into the cañons of Middle Fork and North Fork are perilous—touch-and-go for a critter with three hundred pounds of wobbling load on his back.—“Bunch yore heels, goddam ye, an’ slide!”

Bullard’s Bar where Cut-Eye Foster’s store is supply depot for half a dozen near-by diggin’s. Up Middle Fork Ridge steep as the roof of a Methodist chapel. Down to Goodyear’s Bar and Indian Valley on North Fork—a four-thousand-foot drop in six miles. God! what a drop.

Trail just a hair line against the side of the mountain. Deer brush and manzanita to snag the ropes off yore packs. Rattlesnake coiled up round a corner of the trail to send the bell mare into reg’lar female conniptions and like’s not stampede all the lead critters. Ole Baldy bumps one side of his pack roundin’ a big bowlder and falls a thousand feet straight before he busts himself open. Mister Man, I’m tellin’ ye——

Trail’s end: Downieville in the gorge below Piety Hill. Three weeks out of Marysville, and men and animals worn to their tendons.

Then, with the last pack dumped and mules turned into corral, it’s Ho! for the Washington Bar and forty slugs of squirrel pizen, one piled right on top t’other. Drink ’em up, boys! We go back to Marysville light as a butterfly’s wing.

As the hectic days of ’49 unrolled and gold crazed men pushed deeper into the Sierra wilderness, the

The Hell-roarin' Forty-niners

trails of the packers lengthened out and out to link the ultimate store of boards and canvas to Sacramento and Marysville down valley and San Francisco on the bay. From Sacramento to Hangtown and on up the knife ridge of the American to Iowa Hill and Gold Run. From Marysville away over into Onion Valley at the foot of Sierra Buttes' naked granite. The tinkle of the lead mare's bell sounded where the elk bugled his mating call away up near timber line.

But the winter of 1849-50 brought grief to the packers and disaster to more than one of the camps they supplied. None knew the heft of the prison doors the Sierra winter can shut across its corridors, for the first gold scramblers of '48 had not penetrated to the higher levels where snow falls to a fifteen-foot depth and cañons become choked with the trash of avalanches. The gold camps were at stream level in the depths of gorges and might have little more than a flurry of snow the whole winter through; but the pack trails leading to them threaded ridges from three to five thousand feet up and these were blocked by drifts.

Result: pack trains were caught on the heights and miners were starved out of the cañons. A train of forty animals was abandoned in impassable drifts above Bullard's Bar. Another was swept into the cañon of the South Fork of the American by a snow-slide. Two packers froze to death on the upper reaches of Bear River.

Roads to Gold

It was not until eight years later that a man by the name of Whiting of Rich Bar, in Plumas county, hit upon a scheme for breaking the winter embargo laid upon camps in the higher elevations. He contrived dog sleds and broke teams of more or less nondescript mongrels to harness. Whiting's Dog Express took mails over the snow to Bidwell's Bar, at the snow line of the foothills, and returned with necessities for the camp. The success of his venture led to its adoption elsewhere.

Tough fellows, the packer crew; men who flirted with death as casually as parachute jumpers. Getting a string of laden animals across a swollen ford in time of spring freshets; taking a billiard table down into the cañon of the American River by lacets across the almost sheer cliff face: these activities would not qualify to-day under what the insurance companies call "preferred risks." But it was in the time of hydraulic mining's development that the packers were raised to the master's degree in their craft.

Engineers and labor gangs went away up to the glacier-fed sources of streams to lead down to lower levels by ditch and flume adequate and permanent water supplies. Dams were built above six thousand feet. Wooden water courses were clamped against the sides of granite mountain walls. This meant transportation on mule back of lumber, hardware and supplies for the cook houses. Mules and their drivers balanced on dizzy knife ridges above

The Hell-roarin' Forty-niners

timber line. Packers tooled bundles of twenty-foot struts on four legs around right-angled corners over space.

As Billy Meek of Camptonville, surviving veteran of the packers' craft, puts it: "We used to jockey our mules into some position above the ditch or flume works and then unpack and slide our loads down the cañon side. Sometimes nigh straight down, too. Ever so often a bunch of flume planks would get to slidin' too fast and then there was hell to pay.

"I remember once"—here a reminiscent twinkle in Billy Meek's young eyes—"how a bar'l of flour quit slidin' and took to rollin'. Right through the cook house down a thousand feet!"

Swap lies and tobacco with Billy Meek and others of the few packers emeriti still to be found sunning themselves in forgotten corners of the old gold towns and you'll surely hear of Bull-o'-the-Woods. A heroic packer god, fit playfellow for Paul Bunyan of Northwestern lumber camps.

Bull-o'-the-Woods adorned the flush Fifties and ran his pack train now along Yuba's north fork, now as far south as the Mokulumne. He was a superman. He strengthened his bell mare Mary by feeding her mountain lion's milk drawn by Bull, personal, from its wild and restless source. When he swore at his lead mule Mizzu you could hear him from Goodyear's Bar to Indian Valley. He could cut an ordinary mule in twain with one tug of the

Roads to Gold

cinch strap; but his mules were not ordinary and so survived.

Once this redoubtable Bull got mad at a man in Pike City, went to that unfortunate's house, took it apart with his own hands, packed it all on his mule Mizzu and moved it in one night down to Chinatown in Dutch Flat, fifty miles away. There before dawn he rebuilt the outraged dwelling, even to the horse-shoe over the door, then sent word to its owner back in Pike City: Come an' live with the other Chinks."

Again, Bull-o'-the-Woods was piloting two pianos packed on Mizzu's back up the grade to Brandy City—two-thousand-foot drop one side of the trail; wall on t'other side. Down the trail comes a schoolmarm on her little pony. Mizzu can't back. Mizzu can't turn around.

"Beggin' yore parding, lady"—with a handsome bow and a scrape of his hind leg Bull lifts Mizzu, pianos and all, smack over that schoolmarm's head and sets him down t'other side of her.

The packers' craft commenced to wane when roads took the place of trails in the Northern Mines. Toll roads they were, built by private corporations under legislative charter—you can see to-day the drill holes for the old black powder shots in split bowlders along the way. Roads were built and bridges across the fords which once had trapped men and animals.

In the beginnings of this road building efforts

The Hell-roarin' Forty-niners

were crude and tentative; construction companies failed or their expenditures were spasmodic. Horse or mule drawn wagons could not get over them; ox teams could. So the dull-eyed, patient spans under yoke that had been broken to moving logs in the pioneer sawmills took a brief place on the roughed-out connecting links between town and town in the higher Sierras.

They were driven by a goad—California style as distinguished from the Missouri bull whip. But it was the voice of the bullwhacker that worked marvels with the four or six slow moving bovines ahead of the lumbering wains. One hears in the mountains of a famous bullwhacker of Dutch Flat who once got a derailed locomotive back on the track of the newly finished Central Pacific with no other aid than four well-trained oxen and a block and tackle.— “Gee, thar, Ephr’m! Eas-sy now, Hank!”

Old Timers of Loyalton, over the Sierra Crest, tell of the peculiar virtuosity of old Blewberry Jones, a bullwhacker over Yuba Pass in the days of the first wagon road thither. He was the “champeen cusser of Sy-era county,” but there was art in his profanity; art and, shall one say, a certain humbleness? For whenever his oxen started to soldier on him Blewberry Jones would remove his old wool hat, turn his eyes to the blinding heavens and deliver this invocation: “Lord A’mighty, attend!” Then he would begin to work on them, orally.

Roads to Gold

Before the Sixties were all spent freight wagons had come to supplant the pack trains in all but the most remote corners of the Northern Mines. The last of them disappeared not later than fifteen years ago, forced into retirement by the auto truck. In this brief term of eclipse the driving of twelve to twenty mules hitched to a monster freight wagon and its trailers has become a lost art in the Far West; for even Death Valley and the remotest deserts of Utah and Nevada have been conquered by gasoline. The jerk line has given place to the gear shift.

A different craft was freighting and one requiring craftsmen of qualifications superior to the packer's. Here a man must be sure skipper over ten, a dozen, sixteen animals to con the most unwieldy vehicle ever mounted on four wheels over the dizzy courses of mountain roads. His the responsibility not only over all that mule flesh but covering from six to nine tons of valuable stuffs in his wagons; and this responsibility continued from seven to ten days on end without respite.

Here was the typical freight outfit plying out of Sacramento and Marysville for the diggin's: The main wagon, a high sided affair topped with hooped canvas somewhat after the order of the prairie schooner, its antecedent, and capable of carrying from four to four and a half tons of mixed freight. Behind it a second smaller freight carrier linked tongue to axle. Behind that, often, though not invariably, a feed wagon containing fodder for the

The Hell-roarin' Forty-niners

beasts against the steep prices of mountain corrals. For a team, anywhere from eight to eighteen or twenty horses or mules, depending upon the grades to be met and dead weight of load.

The freighter rode the first nigh animal, keeping control over the whole string by a single "jerk line" running through rings in headstalls all down the line to the leaders. But this jerk line was only efficient as a symbol in mule psychology and supplementary to the voice of the freighter, which the ears of every span in tandem were cocked to hear at all times. The voice guided the leaders far down the picket line of furred ears and abjured every individual by name, from leaders to wagon tongue. An expert freighter could make a sluggard mule twenty feet away from him jump against the collar by calling his name and adding an optional opinion concerning his ancestry and early upbringing.

I have said it was an art, this business of moving two or three great laden wagons from near sea level up to seven thousand feet over unsurfaced mountain roads. Consider how that art was applied to a typical piece of road, the old Mountain House Grade into Goodyear's Bar.

The Mountain House hostelry for freighters and stage passengers stood on the crest of the ridge dividing the middle from the north fork of Yuba River; elevation a little over 7000 feet. Goodyear's Bar hides itself in the bottom of the North Fork gorge at an elevation slightly under three thousand.

Roads to Gold

The speedometer of your car—granted you care to try the old road to-day—tells you the distance between the two points is around six miles. A drop of four thousand feet in six miles; and at almost any point along the road mishandling of your wheel will shoot you into space.

A freighter with twelve mules to his eight-ton load make that? Yes, consistently for upwards of fifty years. And in this wise:

At the top of the grade he halted his team and set the brake of his "back action"—the trailer—to act as a drag all the way down grade. The brake arm of the bigger wagon hung over his head where he sat the nigh horse directly in front, to be manipulated at will by a depending rope. So his six span pulled on the traces all the way down.

Approaching a sharp curve—"Pete, Bob—gee! You Henry—stead-day!" At his word the leaders climb the bank flanking the curve. At a second hail the Number Two span leaves the road similarly; the off horse steps nimbly over the chain traces to give a united cross pull with his fellow. Foot by foot the lumbering wagons round the curve instead of being pulled into the abyss.

I submit that no circus horse nor circus rider could show more dexterity.

More than once this same Mountain House Grade has been the scene of rare comedy wherein some rough-neck freighter had all the fat lines. The plot was simple and capable of scant variation.

The Hell-roarin' Forty-niners

You must know that the private builders of this tortuous highway over an abyss spent no more money than they had to, and, what with blasting a shelf out of the sheer cliff side, costs ran high. Wherefore the Mountain House Grade in most places is not wide enough for teams to pass. What though the leaders of the freight teams carried bell chimes on their hames, the musical warning carrying far in the still mountain air, and folks at the foot of the mountain generally were road wise in the matter of the freighters' schedule, many a wagon or democrat buggy going upgrade has encountered a freight team bound down. A ssel

There sus and with the circle of snow peaks ing close to hear, two men might discuss with much profanity and a rich spattering of personal allusion a simple problem in physics: which was the irresistible force and which the immovable body? The ponderous freight wagon and its back action were too obviously both.

Nothing to do but take the lighter vehicle apart and carry it piecemeal around the other; or unhitch and lower away with ropes over the brink of the precipice.

In the Sixties and the Seventies when all the hydraulic mines were booming and lusty towns flourished all up and down the Blue Lead, the freight wagons coursed the mountain roads like fleets of frigates. Their bell chimes answered the whistle of the quail on every ridge. Their wheels



TWELVE-HORSE' FREIGHT WAGONS.

(From photograph taken in 1893)



OLD-TIME FREIGHT WAGON AT BULLARD'S BAR TOLL BRIDGE.

(Photograph taken in 1886)

Roads to Gold

wore channels in the red earth which can be traced to-day as gullies through the countryside. And where the old toll roads converged freighters' rest houses sprang up—and saloons.

Most noteworthy of these places of refreshment was Bullard's Bar on North Fork. There the road up from Marysville split to swing both sides of the Yuba and there the incoming and outgoing pilots of these mountain craft met to hold impromptu carnival. A hundred animals in the corral. Three hotel bars, to say nothing of the exotic drinks to be had in the flourishing Chinatown adjacent. In Chinatown, too, interesting games of chance with little white buttons spilled out of a brass bowl and ideographed bamboo sticks.

Bullard's Bar nights were purple in that robust time.

Take the old Slate Ridge road to-day, questing some souvenir of Bullard's Bar's prime, and at the foot of the long grade you'll find a structurally perfect cement dam holding back a lake, artistic plume of water filming over the top. A power company has elected to convert the horsepower that once flowed through the place at the forward end of freight wagons into magnified kilowatts. Bullard's Bar has been sunk without trace.

Before stages became common in the Northern Mines, with the opening of the roads, communication between camp and valley was a haphazard affair and dependent upon the casual wayfarer. Letters

The Hell-roarin' Forty-niners

were intrusted to strangers; papers and periodicals from the "outside" were worth almost their weight in gold dust.

S. W. Langton, of Downieville, was the father of a corrective idea. In 1859 he launched Langton's Express between Downieville and Marysville a hundred miles down below; letters mailed or delivered at \$1.00 each, periodicals brought back from the valley town for fifty cents. Langton's was an all-year-round service: horseback in summer and snowshoes to snow line for the messenger when winter laid its embargo on the higher trails. No soft berth this messenger job in winter, as witness a paragraph from a January, 1860, issue of the *Sierra Democrat* of Downieville:

ATTACKED BY WOLVES

On Thursday morning while Joe Blodgett was on his way from Sierra City carrying Langton's express, he was attacked by eight wolves and obliged to drop the letter bag and his rubber coat, which were unceremoniously chewed up and scattered. He lit some pitch pine and made all the noise he could; but the brutes would not leave him until they had eaten his lunch and spare clothing.

One feature of Langton's express business buried these years in a source unsuspected of the Post Of-

Roads to Gold

fice Department might as well be dragged out now to the shame of that bureau: The worthy Langton's messengers complained to their boss that the postmaster at Marysville was holding them up for graft. For the privilege of rummaging through the mail bags before letter distribution to secure mail for their patrons in the diggin's, the son of a gun was assessing them twenty-five cents for every letter taken! That cut down Langton's gross by just twenty-five per cent—intolerable levy.

Not long ago a speculator with a quaint eye for values bought the last two old-time stages known to be in existence in the Northern Mines and sold one of them to a moving picture actress who goes in for antiques on—presumably—a grand scale. So the end of another chapter in the boisterous annals of the Days of Gold.

Modern thrillers on screen and paper go in strongly for the stage driver, giving him the spotlight vis-à-vis the villainous masked robber. He is made to stand as the hall mark of what producers and editors have come to call red-hot westerns. Well and good. But the stage drivers over Henness Pass from Virginia City to Marysville, the stage drivers routing from Strawberry to Sacramento had something to do in life besides playing passive parts in holdups. Quoting once more Billy Meek of Camp-tonville:

"I drove stage for more years than you've got fingers and I've been held up coupla times. But the

The Hell-roarin' Forty-niners

downright smart experience stickin' in my memory was havin' to play doctor when one of my female passengers went an' had a baby. Right on the steepest part of South Yuba Grade, too!"

The old underslung Concords that once went rocketing through the Sierra camps kept what their drivers proudly called "railroad schedule" between points a hundred miles apart; seven miles an hour on the average run; thirty-six hours on the box without sleep. Passengers, mail and treasure.

That was summer schedule; winter runs were a different thing. When the snow came down to block the roads above the three thousand foot level, when savage gales toppled over trees across the single line of tracks threading through a wilderness, then all fictional glamour was wiped off the business of stage driving. You may read in files of old papers of the Sixties grim paragraphs—the editors of that time were singularly self-repressed—telling of the hazards of staging in a Sierra winter.

Passengers on the Downieville stage marooned at Nigger Tent without food for four days. Stage driver, two women passengers and a man, abandoning their sled stage near Buck's Ranch and taking refuge in a deserted cabin, live on boiled hay from an old horse collar found there until rescued by a relief party. A dance hall woman, overcome by cold, falls off the stage near Camptonville without the driver's knowing it and is found frozen.

Stage traffic even under these straits was made

Roads to Gold

possible only by the invention of some unheralded genius—a horse snowshoe. This was a circular iron plate faced with rubber on the lower surface to give traction against the snow and clamped onto the shoe with caulks. An expert could fit a horse to four of these snowshoes in fifteen minutes—provided the beast was broken to them; and some positively refused that educational step. It is said by old-time stage drivers in defense of these rebels that a horse so shod had to “straddle some” to keep from cutting his hocks; those who preferred not to straddle some simply bucked themselves silly and were relieved of snowshoeing.

When the wheeled stage stopped at a station on snow line and passengers transferred to a sled while the beasts were being prepared to mount twenty foot drifts, passengers and horses alike could be sure that the most eventful part of the journey lay ahead.

Early in the stage game there were other perils besides those of winter travel. These derived from the bitter rivalry between the California Stage Company, first in the field, and a second corporation which contented itself with the name Opposition Line. When a rate war failed to decide the issue between them drivers of the respective concerns took their employers' business bitterness keenly to heart—and with a certain sporting spirit thrown in.

It was, for example, quite the thing for a driver of the California, haply meeting an Opposition stage on a bad turn, to try to take a wheel off the other

The Hell-roarin' Forty-niners

fellow's vehicle by a dexterous swing of his leaders. Or an Opposition man counted it a God-given opportunity when he had the wall and could crowd a passing California stage off a grade. Passengers holding to strict neutrality must have found these exhibitions of partisanship exhilarating. They filled the rôle of the innocent bystander always so enlivening in time of war.

Old newspapers record the protest of one such imperiled passenger. At a stage house near Marysville where an Opposition was changing horses, a California hove in. With a You-peel and a Ya-hoo! the California driver began circling the stationary stage, trimming it of spokes and appurtenances at every swoop. After the second round the passenger poked his head and a shotgun out of the door of the beleaguered stage and filled the proud California driver so full of slugs he died.

Subsequently the passenger was acquitted of a murder charge on the plea of self-defense.

-

Strange Strikes

-

Chapter 11

STRANGE STRIKES



ON a spring day in '51 the little flat-bottomed steam scow which was wont to loaf from sand bar to sand bar from down-bay as far up the Sacramento River as the hurly-burly town of Marysville discharged there an interesting passenger. Interesting on two counts: she was a woman and she was a good looking woman. In that day anything that was white, feminine and under eighty was a novelty in raw California. When femininity and pulchritude were housed under the same bonnet sentimental males roached up their scalp locks with ba'ar's oil, put a dull glow on their boots with bacon rind and otherwise primed themselves for a competitive love Marathon. Let us call this particular provocation for Marysville gallants the Widow Garlick.

The Widow had her trunk carried to the Eagle House and in the primitive boudoir there offered primped herself for serious business. And well, she might, for she had just taken a flyer in sand lot speculation in San Francisco and had been cleaned of her last shin plaster. The Widow wanted to get to

The Hell-roarin' Forty-niners

Downieville, sixty miles back in the Sierras—a good long grasshopper hop from the river town.~ But if grasshoppers had been selling for ten cents the Widow Garlick couldn't have bought even a pair of hind legs.

So she primped and put her best daintily slipped foot forward—and borrowed \$50 from the proprietor of the Eagle House. Next day she took horse for Downieville, leaving with the romantic boniface, shall one venture to say, promises? And, of course, her trunk; for that could not be taken behind her sidesaddle.

Follow the venturesome Widow Garlick riding alone over the high trails through the wild country: trails which had seen robbery and murder done many times in the two hectic years passed. Up and up she goes, past Foster's Bar and Bullard's Bar; along the perilous Slate Ridge trail and finally down the hair-raising lacets that thread into the gorge of Yuba's north prong. The Widow Garlick rides alone in a country of rough men; she rides on a borrowed \$50.

I would like to believe this daring creature came from New England and that this venture was a glorified gesture of emancipation from the dreadful formalism which constrained the conduct of New England's "females" of the period. But the gossamer record of the Widow's activities in the gold fields gives no hint of her antecedents. Perhaps she came from a beer hall on New York's Bowery.

Strange Strikes

At any rate, see her properly located in Downieville—"J. Garlick, Eating House."

Eating house it was: A half board, half tent structure on Jersey Flat, with a long trestle table where men sat themselves down to stoke on beans and salt pork and raw sliced potatoes—a great antidote against scurvy when taken with vinegar—at \$3 per stoke. The Widow Garlick was neat as she was respectable. Every day when the last of the stokers had dropped his knife and fork on his tin plate and departed, the Widow and her helper swept up the dirt floor with a broom of pine boughs.

One day, after the Widow Garlick had been in business but a few months, she was going over this dirt floor with her swishing bundle of pine when she saw a glint of light strike up from the litter of bread crusts and bacon leavings her broom had accumulated. She knelt and investigated. Result: a solid gold nugget weighing in at \$39 on Cut-Eye Foster's scales. A nugget brushed with a pine bough broom out of the packed dirt of an eating house floor!

Straightway the Widow Garlick suspended her eating house business and went in for a big gamble—had she not done the same in the matter of San Francisco real estate? She hired men to come and sink to bed rock all over the floor of her eating house, hole by hole. She herself closely scrutinized the washing of the dirt. The first day's panning netted her \$500. Before every inch of the dirt the lady had

The Hell-roarin' Forty-niners

leased for restaurant purposes had been turned over she was richer by \$30,000.

The annals record that J. Garlick went out of the short-order business permanently. Let us hope that the romantic proprietor of the Eagle House in Marysville got back his \$50 at least, if it was not accompanied by a heart and hand.

Count this episode typical of many in the history of the California gold fields. The dazzle of unexpected discovery was always before men's eyes. It led them to forego the working of normally profitable placer claims and fly off at any tangent rumor dictated. It kept them eternally on the move after every will-o'-the-wisp that hung up its seductive flicker. Even, as I have shown elsewhere in this narrative, the uncertainty inherent in the gold quest might prompt a greenhorn to climb a pine tree and pry off bark at its top in quest of the elusive nugget.

"Gold lies whar you find it. . . ."

Placerville, over in the American River country, had its excitement in the matter of gold lying beneath where men slept. When the town had grown to fifty or more shacks somebody there discovered gold in the beaten dirt floor beneath his tent and began to dig down to bed rock. This started a veritable stampede of digging into cabin sites.

On my arrival in Hangtown [Placerville's first name] I went as usual to the cabin of my

Strange Strikes

friend the Doctor [a visitor of the year 1851 records] which I found in a pretty mess. The ground on which some of the houses had been built had turned out exceedingly rich and, thinking he might be as lucky as his neighbors, the Doctor had got a party of miners to work the inside of his cabin on half shares. He was to have half the gold taken out, as the right of property in any sort of house or habitation extends to the mineral wealth beneath it.

In his cabin were two large holes, six feet square and about seven deep; in each of these three miners were picking and shoveling, or washing the dirt in rockers with the water pumped out of the holes. When one place had been worked out, the dirt was shoveled back into the hole and another was commenced alongside of it. They took about a fortnight in this way to work all the cabin floor and found it very rich.

Nor were the streets in the camp thus smitten with the mania for domestic burrowing counted sacred. The same English visitor quoted above gives this word photograph of Placerville:

The street itself was in many places knee deep in mud and plentifully strewn with old boots, hats, shirts, old sardine boxes, empty tins of preserved oysters, empty bottles, worn-out pots and

The Hell-roarin' Forty-niners

kettles, old ham bones, broken picks and shovels and other rubbish too various to particularize. Here and there in the middle of the street was a square hole about six feet deep, in which one miner was digging and another bailing out the water with a bucket; and a third, sitting alongside the heap of dirt which had been dug up, was washing it in a rocker.

One wonders concerning the manifold perils of that joyously inclined gold grubber who, of a Saturday night, had been "doing the line." Let him thread the abysses of the street ever so craftily, what a problem in navigation must have been his when, haply his own cabin gained, he sought his couch amid the two or three prospect holes yawning in the floor! And that was long before gyroscopes were invented.

Of this Placerville—or Hangtown—craze for domestic excavation a pretty story is told. A young Southerner, name unrecorded, had come to California in '50, accompanied by his body servant, his slave who had been attached to him at birth to serve him as gentleman's servant. Naturally, when California was admitted to the union as a free state this particular Sambo or Cato ceased to be a slave. Perhaps he did not know he was a free man. Perhaps, as was the general tendency among the slave blacks—despite Uncle Tom's Cabin and all the rest of the

Strange Strikes

propaganda flood of those critical days—this Sambo or Cato didn't care whether he was slave or free; just craved to stick by his Master. At any rate there, in the raw mining camp, were the exquisite from the Southern plantation and his black Achates—just partners. This was in that high moment when the inhabitants of the camp had begun to suspect the dirt under their cabins was richer than any they were panning in the near-by diggin's.

Story has it that when men in the camp commenced hysterical undermining of their habitations, this negro slave had a dream wherein he saw himself and his master taking rich pans from the dirt beneath a certain cabin floor. So vivid was the black's vision that he could even see himself and his white god going and coming from a portal clearly recognizable among the mongrel habitations of Hangtown. He told the substance of his dream to his white companion and was laughed out of countenance.

Again the identical dream came to him—you know how the standard dream anecdote must bear heavy on this repetition—and once more he carried the substance of ghost guidings to his Master. Even he took the white man down the street and pointed out the very cabin which had been illumined by these nocturnal psyche lamps. The Master was half-heartedly convinced—perhaps he had drawn in some essence of voodoo with his foster-mother's milk—and he bought the cabin. Together they worked the

The Hell-roarin' Forty-niners

floor of that dream cabin and took out \$20,000 in dust.

Come one and all; let's play that is a true story. . . .

True by crossed-heart-and-hope-to-die this one of a strange gold strike:

In the early Fifties a party of restless prospectors from Downieville set out to explore the peaks and valleys lying in a jumble north and east of the forks of Yuba. They climbed the steep ridge bounding the gorge on the north and blundered through the up-and-down country lying between Yuba's ultimate stream and the southernmost of the Feather's confluences. One day, on the precipitous side of a cañon—a place so steep a man had to hold on by his eyebrows—one of the number stumbled onto a cask of port wine which had been cached there by some provident trail breaker.

You had better believe that, then and there, gold seeking ceased to be a preoccupation of these vagrants and that they clustered close about the hastily opened bung-hole in that barrel of chuckling laughter from far-away Portugal. They clustered and they clustered. . . .

In course of time, as a sardonic Bacchus has ordered, a terrific thirst for something less potent than port wine seized upon all the wassailers. That one most spurred by this craving made his perilous way,

Strange Strikes

by slipping and sliding, down to the bottom of the cañon on whose flank the big drunk had been celebrated and there found a trickle of water. Found something else which sent him back, popeyed, for his gold pan. He panned out round, fat nuggets. All the ground on both sides of the trickle of water threading through fern roots there was rich beyond dreams.

Contrary to all precepts in the Sunday school books, these abandoned creatures were made wealthy and the camp which subsequently sprang up on that cañon shoulder was named, appropriately, Port Wine.

"Gold lies whar you find it. . . ."

At Pilot Peak, northeast of Downieville, a Frenchman and a Spaniard went out hunting one day with their old style muzzle-loading fowling pieces. They pushed through the brush of a big "burn"—scar of an old forest fire overrun by manzanita—until, on a steep hillside, the Frenchman fired at a quail covey which he had flushed from a covert on the steep slope above him. A brace of birds fell; also, there was a rattling of stone fragments dislodged by some of the Frenchman's shot.

A bit of white stone rolled through the brush to the feet of the Spaniard. Some divine instinct of curiosity prompted him to pick it up and examine it. The splinter of quartz was threaded through with rich tracings of gold. The two pawed their way on

The Hell-roarin' Forty-niners

hands and knees up the slope until they'd come to two dead birds—and a quartz outcropping into which part of the Frenchman's charge of shot had penetrated. The twain developed here a quartz mine which, after many changes of hands, still operates to-day. You can get to it from Downieville—if you have a lot of confidence in your car—by driving up grade registered at twenty-six per cent. Coming down, you cut a pine tree and hitch it onto your rear axle for a drag.

But there is a reverse side to this brilliant shield of the fortuitous big strike: stories of treasure found and lost again. A whole book could be written about the "lost mines" of California; indeed, several have been written. *Gold Lake, The Pegleg Smith Mine, The Lost Burro, Three Little Lakes of Gold*: a veritable anthology.

But this writer prefers to select but one episode to grace the obverse of the stamp given by this chapter: the hardest hard luck story of the Northern Mines.

Up on the ridge back of Camptonville Bill Snyder built himself a little cabin near a placer claim he was working on one of the branches of Oregon Creek. He was quite alone in the field. His claim was rich. He took out a whale of a poundage of dust and coarse gold. Then, just about the time the little bar in the creek which he had been working

Strange Strikes

began to fail, Bill came down with the dysentery—bad! He was so weak he couldn't climb back to his cabin from his claim on the creek, so he quit work.

Bill figured to himself he would probably die if he didn't get down to Nevada City where the Doc held out. But there was his gold—pounds and pounds of it which with miserly passion he had hoarded; what to do with it? He was so weak he couldn't tote it with him. There was no bank within miles where he could leave it. A very serious problem indeed. . . .

See poor old Bill Snyder, so weak he can hardly drag himself to his cabin door, propped up against the logs outside his cabin on a moonlight night and pondering this question of safe harborage for his gold while he goes down to Nevada City, either to get cured or to die. In the little flat before him are a dozen giant sugar pines. He notes that at this hour, ten o'clock, the moon casts the shadow of two of those pines in a great X on the ground. How 'bout that place where the crossed shadows fall for a cache? Come the same day of another month—if haply he recovers from his dysentery—and won't those shadows cross in perzactly the same place?

Bill Snyder is a reg'lar old fox for figurin' things out. He drags out his pick and shovel and with great labor he digs him a hole right there where the shadow of those two pines cross at ten o'clock on a night of July 21. There in that hole he caches \$30,000 worth of gold dust and covers the dirt he

The Hell-roarin' Forty-niners

throws back with pine needles and stray twigs to make it all look natural-like. Then Bill goes down to Nevada City.

The Doc there passes him on to a Doc in Sacramento—for Bill's is a bad case—and the Doc in Sacramento says that if Bill wants to live he must see a sawbones in San Francisco. Which, as they say in the mountains, Bill done. Six months before he gets back, a well man, to his little flat above Camp-tonville.

And there's a sawmill! Right on Bill Snyder's flat! Every goshdinged pine on the whole flat cut down. Even Bill's cabin gone.

Shadows? Why, there wa'n't none nowhere; not shadows cast by sugar pines, leastways.

They say that before Bill Snyder went to the poor farm he almost went to the asylum. Folks figured him to be plumb crazy, wanting to dig and putter round under sawdust piles and what not.


-

Ishmaelites

-

Chapter 12

ISHMAELITES

 AGAR, the Egyptian woman, and the son she bore Father Abraham got no such rough deal, in their time, as that sloe-eyed, patient, timorous Ah Sin and his Chinese brothers and cousins—Ishmaelites of the California gold diggin's. Holy Writ has it that when the outcasts from Abraham's tent were in dire extremity Divine Providence intervened in their behalf and they were made whole; if there was any such intervention to make the Chinaman's lot easier it must have been of such esoteric nature as to be imperceptible to the Occidental eye. The records and the tales of the Old Timers agree that from '49 until the last of the hydraulic mines reluctantly close down in the Eighties, every man's hand was against the Chink.

He was chivvied and harried and sometimes killed out-of-hand. He was exploited and enslaved. The hardest work and the poorest food were his. Tax collectors, both real and spurious, robbed him merrily. He had standing neither in court—where his oath was counted worthless and his testimony on a par with a child's—nor in the community, which tolerated ex-convicts from Australia and guerillas

The Hell-roarin' Forty-niners

from Kansas. Every evil and every chicane was practiced on the boys with the pigtails except to cheat them; nobody can cheat a Chinaman.

Yet they survived. Miraculously as coyotes have survived poison and gun since the first hairy trapper crossed the Missouri. They survived, these yellow men, by craft and by patience and that unassailable quality of nonresistance which absorbs punishment like a blotter. The story of the Chinaman in pioneer California is a hard one to run down but worth the effort.

Be sure that when the gold alarm clanged around the world in '48, crowded China did not have deaf ears. No, not that alert and acquisitive people who swarmed over half of Asia and the islands of the Indies grubbing crumbs of wealth like ants. While newspapers in New York and Philadelphia still were bandying speculations on the "California canard," sailing masters out of Canton were shipping deck loads of yellow men and gawky junks were spreading their matting sails for eastward flights to a golden horizon. First arrivals came with a ship-load of brown skinned Kanakas from the Sandwich Islands—Hawaii now better named.

In the absence of any Chinese memoirs covering the ground—though there may be such, neatly preserved in ideographs in the records of San Francisco's Six Companies—one can only guess at the hardships the pioneering Chinamen faced in making from San Francisco to the diggin's. In a strange,

Ishmaelites

wild land—and they the denizens of old crowded cities—with the handicap of language against them and not even accustomed food to put in their bellies, these yellow boys on boat and trail had plenty of opportunity to call upon their benign gods for all assistance customary in the circumstances.

A rickety steamer bound up-bay from San Francisco burned in Carquinez Straits early in the year of '50 and eighteen Chinese lost their lives. A snow-slide in the American River cañon next winter wiped out an entire Chinese camp.

Americans, Chileños, Mexicans and all the mixed breeds qualifying under the broad designation of "whites" hit the trails with mules and horses to carry their dunnage. The Chinaman packed his in his time-sanctioned manner—in baskets balanced at the ends of poles carried on shoulders. Incredible weights! Picture a queue of sweating coolies under conical bamboo hats mincing along a knife-edge trail in the high places, each with his bending pole and bulging baskets. No wonder the godlike whites shook the hills with their laughter.

Safe to say not a single Chink of all that early-coming crew ever had seen gold in the raw or knew the least thing about where to find it, how to sift it from the gravels of the river bars. For that matter, precious few of the white seekers knew more than the Chinamen did. But the moon-eyed ones possess a perfect genius for imitation; when they saw the white men sloshing gravel about in iron washbasins

The Hell-roarin' Forty-niners

they bought those b. sins and did likewise; when the white man made himself a rocker to increase his output Ah Sin copied it. He got gold.

So far as I can discover, in the first rush for the placer streams the gold preoccupation was so strong that the pioneering white men, the deserting sailors and beach combers from San Francisco and the shaggy mountain men, paid little heed to the few timid Orientals trailing along with them. It was only in late '49, when the first of the emigrant trains across the plains began discharging their hundreds into a new land and ships from Panama disgorged their quotas of wild men, that prejudice against the Chinamen crystallized into steady persecution.

It was in the head of everybody sky-hooting to the mines that there was not enough gold to go around—grab what you could while the grabbing lasted. So what did foreigners mean by flooding into this strictly American El Dorado and snatching gold rightfully the property of honest-to-God Americans? Foreigners—why the Yellowbellies were worse than that; they weren't what you'd call human! Even the free niggers the Southerners brought out with them were better than these Yellowbellies.

Grew, then, a lusty Americanism based wholly on selfishness. The dam'd foreigners must get out! In Hangtown they had a Mexican moving day. In Grass Valley and Rich Bar men of Spanish blood had to barricade themselves against mobs. The Chinks were fair game everywhere.

Ishmaelites

But the Missouri Pikes and the Arkansas and Texas bullies, the whole beastly crew vaunting their God-given Americanism, soon made an interesting ethnological discovery: If you monkeyed with a Mexican you were likely to get a knife slipped between your ribs in the dark; you couldn't play horse with a Frenchman or a Britisher without a swift comeback. But you could kick a Chinaman all over the place! So straightway the kicking commenced.

A camp of Chinks on the American's North Fork made a rich strike in March of 1850—though they tried their best to conceal their luck. Right away a "moving committee" went down from Barnes' Bar, fired a volley into the Chinks' tents, splattered lead about their fleeing heels—and appropriated the diggin's. A luckless little Chinaman sifted into Nevada City the same month with a bag full of extra large nuggets to pay for supplies of rice at the store; a tough crew trailed him away from the town, threw a rope around his neck and lifted him from the ground a couple of times until he consented to show his tormentors where his claim lay. Instances similar to these became commonplace. Always the harried yellow boys were on the move. Finally they ceased to be gold explorers and tacitly turned to the placers which white men in their eternal restlessness and seeking after "pound mines" had abandoned as not worth their effort. The Chinks had to be satisfied with the leavings, and in many instances these abandoned claims proved veritable treasure houses.

The Hell-roarin' Forty-niners

But even against this humble sitting at second table there was resentment. Witness this complaint in the *Sierra Democrat*, written in the year '57 when half the placers of the Northern Mines had been deserted in the rush to the Frazer River fields:

Bank and river mining in the immediate vicinity of Downieville is extensively carried on by Chinese. Although this class of beings are industrious and probably receive an average remuneration for their labor, it is yet true that they expend but a small portion of their earnings among the white population. They are a pest to any, and especially to a mining, community and ought not to be tolerated in this country.

They gather gold from diggings which are easily worked and in many instances very desirable to white men who have enterprisingly devoted their labor and money in prospecting for newer and richer diggings without success. When such prospectors return to the rivers, confident of earning at least a living, they find them infested by Chinamen and are compelled—though reduced to poverty—to seek some new locality.

Is it constitutional to give away the best interests of this country to heathens?

This righteous protest, yet right at Downieville's doors, all up and down the North Fork of Yuba, the

Ishmaelites

Chinaman's contribution to placer mining methods creaked and squawked—the "Chinee wheel." An interesting sidelight on the place of the Celestial in the Days of Gold is pointed by this Chinee wheel—John's single invention.

When men began building wing dams to divert whole streams into parallel flumes so that they could work the exposed beds of the rivers, Ah Sin remembered his acquaintance with the foot-power water wheels of his homeland and put that memory to work. He devised a paddle wheel to dip into the river's swift current where it flowed through the flumes, then carried power from that wheel along an axle to work an endless chain of wooden cups and so keep drained the pits he sank in the old channel. Also he harnessed that power to a windlass to help raise heavy bowlders from those pits. And, for once, the lordly white man had to lift an idea from the Chink. Those water wheels became permanent auxiliaries to fluming. In a few sites of old fluming days along the Yuba one may still see the skeletons of Chinee wheels lifting above the azaleas.

A fairly adequate, though prejudiced, picture of these pariah yellow men in the mines was that given by one James Galloway, "practical miner over twenty years," before a committee of the State Senate of California in 1876. Said Galloway:

The Chinese generally—indeed, I may say universally—live in the meanest kind of hovels;

The Hell-roarin' Forty-niners

sometimes constructed of old lumber of an abandoned flume, other times in a canvas tent, but in the summer—or mining season—in brush tents put up with posts and poles and brush thrown over them. They are dirty in their habits, filthy around their camps; generally living on rice but occasionally indulging in fresh pork and also in a nice fat dog.

Many of them still wear the broad Chinese hat made from cane splints in China. They have their own merchants in the mining camps, from whom they buy all their rice and tea and salt stuffs brought from China. They raise their own vegetables; and it is curious to see how soon they will produce their own crop of fresh peas, beans and lettuce. . . .

They have often been caught robbing sluice boxes and houses and stealing chickens. They have no morals that I can discover except in carrying out contracts.

Their operations in the mines have often been very profitable. These mines are nearly all worked by Chinese companies. Companies bring up scores of them and hire them out, or buy or locate claims and set them to work on them. The company comes down in the evening and takes away the gold. They supply the rice and other provisions, tools, etc., for these fellows to work in the mines. When a white person hires one or more Chinamen it is usual to settle

Ishmaelites

with the head man of the company. They appear to control their property and take their earnings as though they were their property. . . .

The Chinamen soon become good miners. They are generally sober, patient and slow but constant workers. They are ingenious and imitative, and can work wet diggings as well as, if not better than, white men. Their living does not cost them more than 15 cents a day.

One thing Mr. Galloway, practical miner, did not tell the Senate Committee was that these indentured Chinamen, willing slaves under some age-old Chinese system of share companies, possessed one privilege dearer to them than life itself and one calculated to make tolerable existence on 15 cents a day—or fat dogs: By stipulation their bones went back to China. This was one clause in their labor contract religiously held to by their bosses. Only in the last few years was some mysterious agency in San Francisco's Chinatown responsible for exhuming the bones of forty-six Chinamen who'd been caught in an avalanche while putting the tracks of the Central Pacific through the high Sierras in the Sixties, and sending them reverently back to the Flowery Land.

Along with the general scorn in which Ah Sin was held by the gold rooters, ran an odd streak of amused tolerance. The whites counted the pigtailed boys

The Hell-roarin' Forty-niners

scarcely human; their doings were a sealed book.

At Howland Flat on Saturday night [says the *Sierra Journal* of a day in '63] a Celestial row occurred, in which one of the parties was fatally stabbed. Because it was thought by the authorities an act of self-defense and the perpetrator was considered a good Chink anyway, no retributive action was taken.

What was a little thing like murder between two Chinks?

And again:

On Sunday last a belligerent Celestial shot a friend, the ball lodging near the spine without inflicting a fatal wound. The attacking party was fined \$25 for disturbing the peace.

A Placerville (né Hangtown) paper of '59 reported with a hearty editorial chuckle a Chinese episode occurring near Yankee Jim's. A Mexican desperado invaded a camp of Chinks with the evident intention of "cleaning up on them." He had tied the pigtails of five Yellowbellies together when two more appeared unexpectedly, jumped the invader and overpowered him. Then, releasing their countrymen, these two valiants tied the bandit's hands and feet into one large knot, slipped a heavy pole under the bound members and carried him into



WHEN THE NORTHERN PACIFIC BUILT CENTRAL PACIFIC TOUCHED A MINING CAMP IN THE SIXTIES.

Courtesy of the Southern Pacific Railroad

Ishmaelites

Placerville, and to the sheriff, as pigs are carried to market in China.

On occasions there would be periods of mysterious disturbance in the various Chinatowns attached to the mining camps—always at a distance from the white quarters, preferably by the town dumps—and the Aryans would assemble at safe distances to watch the rukus and applaud. These fights—perhaps inspired by the clash of rival tongs, benevolent associations not yet in the white man's ken—were matters of great hullabaloo and little bloodshed. With a portentous chattering and shrieking, opposing sides would line up across Chinatown's single sordid street and snipe each other with sticks and stones. Only when revolvers came into play, which was rarely, did the white audience scatter. If any Chinaman was killed that wasn't the sheriff's business. "Bury your own dead" was the easy-go rule of the law regarding Chinese affrays.

There was another Chinatown event which always aroused the playful interest of the white miners; this was the annual driving of the devils out of town. Swat-the-Imp Day it would be called by our modern manufacturers of slogans. For Ah Sin and his brethren this festival was a sort of spiritual cathartic, wholly practical—nothing a Chinaman does is anything but practical.

The annual house cleaning of evil spirits started with a salvo of firecrackers which brought every idle white man on the jump to see the doin's. Then be-

The Hell-roarin' Forty-niners

fore each hovel of unpainted boards or canvas strips a jar of smoking punks was placed and the incense sticks plentifully renewed during the day. Fresh strips of red paper scrawled across by ideographed charms and good luck formulas were pasted over every lintel. Next a special committee of expert devil chasers started at one extremity of the scarecrow street and visited each hovel in turn. Their instruments of exorcism were gold pans and hammers and those peculiarly piercing Chinese oboes one hears to-day in Chinatown's festival occasions. With squeaks and banging each house visited was cleared of its reluctant bogies. As one drives flies to a single curtainless window, the devil chasers progressed through the village, being cautious not to let a single fork-tail slip back through the cordon of clatter.

Then at the farthest outpost a final hullabaloo sped the discomfited host on their way. As a final gesture of politeness—not without its sly utilitarian value as a bribe—a baked and highly varnished hog, bowls of rice and jugs of Chinese gin were set out; if the expelled dragon spawn sought to return they would pause to refresh themselves and, like as not, forget their intention. Needless to say the Chinks always saw these viands disappear into the maws of very tangible devils: white devils who guffawed as they gorged.

I have said that nobody can cheat a Chinaman. Nor can the average high-class Nordic even match

Ishmaelites

him in the craft of figures. When Ah Sin went to the white man's store to buy supplies, which he did only when his own sources failed him, it was the white man who had to be on guard.

"Those dog-gone Chinks kin figure a white man right off the map," Billy Meek said to me one day: Billy who kept a store away back yonder in the years. "Say a Chink came to me to buy a bill of goods and pay in gold dust at \$16 an ounce. Well, there'd be a quarter ounce of this and a fifth of an ounce worth of that—all fractions. John, he'd take a handful of beans from my bag and lay them out in little rows on the counter" (his improvised abacus) "and he'd twiddle those beans from one column to another and tell me the exact sum, right down to the last pinch of dust, before I'd have my fractions half unscrambled."

Yes, the Chink was a mysterious creature in the eyes of the whites: the slant-eyed, cringing man-monkey with his quick deprecatory smile and his slant shoulders pitched at an angle to shed trouble. One of the baffling things about him was his way of pushing logic inexorably to a conclusion beyond the power or patience of a white man to follow.

A Downieville paper in 1857 had a great laugh at some Chink goings-on in the near-by camp of Good-year's Bar, down-river. It seems that some China-boys there, working a claim as partners, bought a Missouri mule to help them drag felled trees for the making of a wing dam. Now that was a serious

The Hell-roarin' Forty-niners

error, for the Missouri mule is intelligent enough to know when not to work; moreover, no Chinaman born can cuss in the manner the Missouri long-ear accepts as his cue for getting down to business. This particular mule at Goodyear's Bar registered his disapproval of Chinese management by kicking one of the yellow miners to death. Uproar! A big pow-wow of all the Chinks in camp. The mule was formally tried by a moot court older than the Great Wall.

It became a matter of controversy as to which hind leg of the Missouri ruffian delivered the fatal kick. Some witnesses held for the right and some swore away the life of the left leg. Finally the mule was shot and after his death both hind hoofs were cut off and cast on Chinatown's refuse dump as a mark of final punishment.

The white man's paper thought that was funny when it was only an orderly pursuit of logic to its natural conclusion.

Roeking the Chink on the head tax game came to be almost dignified as a business in the Sixties and Seventies all up and down the Blue Lead where the hydraulic monitors hissed. It was called "carpet-bagging," a name brought from the South of the Reconstruction by scalawag Southerners who themselves had learned some tricks of skulduggery in a tough school. These carpetbaggers traded on the excuse given by a tolerant legislature which imposed an annual head tax upon all residents of California,

Ishmaelites

citizens and aliens alike: a mendacious bit of legislation, since it was recognized from the beginning nobody but ignorant foreigners would pay the head tax.

Straightway spurious tax collectors became as common among the diggin's as last year's preserve cans, and the Chinaman was unanimously elected the victim. In the big hydraulic camps where as many as fifty or a hundred Celestials were at labor the carpetbagger gleaned his blood money. All the stock in trade he needed was a hard and menacing mien, any old constable's star to pin on his coat—that meant authority in almond eyes—and some sort of pad of receipt blanks. So provided, the carpetbagger would go through the camp, stinging the Chinamen for \$5 a head and giving each in return for his "tax" a worthless receipt form. One such grifter with a sardonic imagination gave small Sunday school golden text cards in lieu of worthless receipts; each had a pretty picture stamped on it, and that made the Chink believe he was really getting his bona fides.

When one carpetbagger followed too closely on the heels of another predatory bird and the long suffering Chink ventured to produce a receipt showing he had squared himself with the government, answer to protest was simple. "Him no good"—and the precious rascal would tear up his predecessor's ticket of immunity with a disdainful gesture. Then poor Ah Sin's hand had to go down into his

The Hell-roarin' Forty-niners

pocket again. Of course he knew he was being bilked; but what could he do?

So far as I have combed the records, oral and printed, of the Days of Gold there was but one Chinese Bad Man: one valiant soul that dared leap in revolt against the monotony of persecution and blaze his little orbit before the astonished eyes of the lordly whites. I give you the story of Ah Sam of Auburn: Ah Sam branded a murderer but counted a brave man.

We first see Ah Sam a cook on a ranch near Rocklin at the western edge of the gold diggin's. The year is '76. By that time a great many of the gold digging Chinese had exchanged the rocker for the basting spoon; they became as good cooks as they had been miners through their native genius for aping the artistry of others. So—Ah Sam, a cook on a ranch, young, soft footed, going down to Rocklin's Chinatown on a Saturday night to sit in a little game with his countrymen or, perhaps, to roll a black pill in a tiny nut oil flame and suck dream smoke through a hollow bamboo stem. Just like any other Chinaman in California was Ah Sam, the cook.

Then on a day in September a miner coming to the ranch where Ah Sam was employed found a woman and two men sprawled in attitudes of violent death. Nobody alive was about the place; it was a dreadful place of silence and murder stench. As

Ishmaelites

fast as he could ride to Auburn and Rocklin this discoverer of a triple crime alarmed the countryside and suspicion fell upon Ah Sam. Some white man remembered having heard one of the slain white men say that Ah Sam and a company of Chinese had tried to buy a mining claim from him and seemed miffed when he refused to sell to Yellowbellies. Ah Sam immediately became suspect, together with ten or a dozen other Celestials in near-by towns. The whole countryside boiled. Rewards were posted for Ah Sam, dead or alive; mobs descended upon the Chinese quarters of Rocklin, Auburn and Penryn and burned them to ashes; Chinks ran squeaking like rats to find holes in the cañon of the American River where they could hide themselves.

So, on a whisper, Ah Sam the cook became a hunted man. So far as I can discover it was naught but a whisper that put the murder brand on him. There never was direct evidence to link the ranch cook to the killings. You may be sure, however, that Ah Sam realized—whatever his guilt or innocence—that he was a dead man once the white mobs got their hands on him. He took to the hills.

Now there was a railroad detective in the district, one J. C. Boggs. I fancy him as typical of his breed, as it existed fifty years ago: a sullen mastiff of a man who could be mastered by a single idea and would pursue that idea to the end, doggedly and through hell and high water. This J. C. Boggs told himself he was going to bring in Ah Sam—for now all other

The Hell-roarin' Forty-niners

suspects had been eliminated—and win the blood money posted for the yellow man's capture. Boggs counted not upon the freemasonry of the Chinese, however, nor upon the underground wires that whispered his movements from Chinatown to Chinatown all through the county and kept Ah Sam just one jump ahead of the sniffing railroad hound.

It became a desperate game between Ah Sam and his slant-eyed allies and the plodding, blood-hungry J. C. Boggs. Here was an alien in a strange and hostile land where even Nature conspired to trap him in her perpendicular cañons or starve him on her bald mountain peaks; an Ishmaelite whose only succor lay in the occasional and fugitive encounter with a fellow pariah under cover of night. And trailing him by haphazard reports and twisted rumors of white men in the hydraulic camps, week by week and month to month the tireless J. C. Boggs. The while the whole countryside mouthed the most hideous tales of Ah Sam, Bad Man.

It was a night of storm in February, six months after Ah Sam had become a fugitive. A knock came on the door of a miner's cabin above Rich Bar away up under the white eaves of the Sierras and nigh two hundred miles from the ranch where murder had been done. The lone tenant of the cabin threw open the door and saw a Chinaman half fallen against the drift. The wretched creature was clad only in the sleazy cotton pantaloons and smock of his tribe. Frozen blood showed on the sacks

Ishmaelites

wrapped about his feet in lieu of shoes. He was half fainting with exhaustion.

Grudgingly the miner took the waif in and fed him. Though the Chinaman begged to be allowed to stay the night before the fire, the white man refused. Dam'd if he'd have anybody say he slept a Chink for the night!

Next day this charitable soul donned snowshoes and straddled the drifts into the town of Rich Bar, there to tell of a strange Chink who was prowling round somewhere back in the high places. It would make a prettier story if I could say that the relentless J. C. Boggs was there in Rich Bar to hear the miner's story; but he was not. Instead, two under-studies for the railroad detective went back with the miner to his cabin, picked up a line of wavering tracks crawling up a mountain side—tracks marked here and there with smears of red—and came soon to a high cairn of rocks. They saw a man's head in a gun sight crack between the rocks; a man's head and the glint of sunlight on a long navy revolver leveled at them. No speech from behind the rocks to emphasize the hint of that leveled revolver barrel.

One of the men remained on guard while the other skimmed the drifts back to Rich Bar to raise a posse. Eight men on snowshoes, each heavily armed, returned with the scout. Nearing the rock cairn, they fanned out behind trees and prepared to sell their lives dearly. Ten armed men against one.

Before a shot was fired a thin pipe came from the

The Hell-roarin' Forty-niners

rocks. In wavering Cantonese sing-song came the death song of Ah Sam, Bad Man. He never had killed a white man. He good Chinaboy. Now white man want to kill him. But—no can do. . . .

A single shot from behind the rocks. The head in the gun sight crack disappeared. After a long wait one hardy soul dared approach the little fortress. He found Ah Sam a-huddle in the snow, shot through the stomach but alive. They carried the Chinese desperado on a litter of spruce boughs back to Rich Bar where it took him two days to die. Over two days of agony Ah Sam kept his lips sealed, refusing to answer a single question.

Upon his death, his body was packed in snow, carried over the mountains to Reno and there put in a baggage car to be shipped to Auburn. A coroner's jury played through its usual rote of mumbo jumbo and the body of the only Chinese Bad Man was shoveled into the red earth.

One notes with satisfaction that J. C. Boggs got no reward.

•

The Sage Brush War

•

Chapter 13

THE SAGE BRUSH WAR



ONE of the most joyous comedies of the Days of Gold was the Sage Brush War.

Perhaps one had better justify a seeming solecism in that sentence; for, commonly, there is little of joy or comedy in war. Quite likely that sixty-five years ago, when a sterner generation's taste for the humorous had not been elevated by the comic strip and the movie's custard pie, practically no excuse for laughter could be discerned in the bitter struggle for sovereignty between the Never Sweats of Honey Lake Valley and the jealous authorities of Plumas County. But then, after the passage of so many softening years and with shots fired in Toadtown's anger now reverberating through the farthest ether, we unregenerates can review the serio-comic episodes of the Sage Brush War—and laugh.

Like the crisis involving the French ambassador to the Republic of Texas and his landlord's hogs, this passage in the annals of the frontier is one of those rare and forgotten gems of history which never has been given adequate setting by the dry-as-dust chroniclers. Not one in ten thousand of California's boosters, climatologists and sunshine-fruit-and-

Chapter 13

THE SAGE BRUSH WAR



NE of the most joyous comedies of the Days of Gold was the Sage Brush War.

Perhaps one had better justify a seeming solecism in that sentence; for, commonly, there is little of joy or comedy in war. Quite likely that sixty-five years ago, when a sterner generation's taste for the humorous had not been elevated by the comic strip and the movie's custard pie, practically no excuse for laughter could be discerned in the bitter struggle for sovereignty between the Never Sweats of Honey Lake Valley and the jealous authorities of Plumas County. But then, after the passage of so many softening years and with shots fired in Toadtown's anger now reverberating through the farthest ether, we unregenerates can review the serio-comic episodes of the Sage Brush War—and laugh.

Like the crisis involving the French ambassador to the Republic of Texas and his landlord's hogs, this passage in the annals of the frontier is one of those rare and forgotten gems of history which never has been given adequate setting by the dry-as-dust chroniclers. Not one in ten thousand of California's boosters, climatologists and sunshine-fruit-and-

The Hell-roarin' Forty-niners

flower addicts knows that once Rebellion raised her gory head within the hallowed precincts of the Golden State or that a stern effort was made nigh three-quarters of a century ago to rend away a part of the sacred domain.

Reader, meet Isaac Roop, the Aaron Burr of pioneer California, and his faithful henchmen Rough Elliott, Cap Hill, Whangdoodle Brannan, valiants of the sagebrush. Heroes of a footnote to history. Now for their story. . . .

In the first mad rush of the gold seekers to California's fabulous placers the toughest stretch of the whole trip across the plains lay over the deserts immediately east of the Sierras and across the mountain barrier. New trails were constantly being pioneered in the hope of escape from the tortures of thirst in Humboldt Sink and the agony of lifting the great prairie schooners over precipitous passes. One of these was the Beckwourth Pass route, discovered by a shaggy old mountain man: the same corridor through the mountains that admits a transcontinental railroad to-day. On the eastern slope of the Sierras where the sagebrush of the desert climbs to meet the mountains' black timber the Beckwourth trail passed through one end of a broad and watered valley cradling a sizable lake of snow water.

This was christened Honey Lake Valley. Its wild rye grass high enough to sweep the knees of a horseman was temptingly green to the gaunt-faced emi-

The Sage Brush War

grants just fresh from the terrors of the Sink. Its clear running waters were sweet music in their ears. Yet the lure of gold beyond the mountain wall was strongest. They pushed on.

But one, remembering, turned back after all his luck in the new land had fallen to ashes. Burned out in his business in the hurly-burly gold town of Shasta, down to his last nicked dollar, Isaac N. Roop borrowed a stake to take him over the mountains to Honey Lake Valley and there on the emigrant trail he took up a land claim, built himself a log house—which served as a hotel and general store when the emigrant trains came through—and, all unconsciously, laid for himself the groundwork of what was to grow into interesting sedition.

Quite a citizen, this Isaac Roop. A Marylander of German blood. Finding his likeness in steel engraving among the pages of an obscure book on local history, you are struck by the leonine head, the heavy jaw smooth shaven in a time when men were bearded to the eyes, a mouth as imperious as Andy Jackson's.

Roop prospered. Others joined him to make a settlement: men who'd gone broke in the mines, men who'd quit their farms in the States at the prompting of a siren voice and then remembered, as did Roop, a valley on the emigrant trail which was aching for the caress of the plow. Roop had taken up his claim in 1853; five years later the valley was credited with a population of 250. About Isaac Roop's log house

The Hell-roarin' Forty-niners

had grown a tiny settlement named Susanville—some say Roop honored a daughter of his thus—and then there were Toadtown and Janesville, hamlets in the sage scrub.

Life was pretty primitive there in Honey Lake Valley under the white eaves of the Sierras. The mining towns to the south and west held the Honey Lakers in fine scorn because they were farmers; and in the golden lexicon of the gold seeker there was nothing lower than a farmer, not even a snake. In compliment to their own toil over Long Tom and flume—for these Argonauts fancied themselves terrifically hard workers—the lordly miners dubbed the farmers of Honey Lake Valley Never Sweats: fine Anglo-Saxon scorn compacted. The humble rutabaga came to be known as "Honey Lake currency." One tale going the rounds of the aristocratic mining camps tells the story of a gold world's contempt for mere earth grubbers:

Orlando Streshly, a Never Sweat, had traces made of buckskin on his plow horse's harness. One day he plowed in the rain. His buckskin traces stretched. Stretched so consarned far that when the horse had come to the end of the furrow the plow hadn't moved from the opposite side of Orlando's field. So what does Orlando do but unhitch his horse and hang the harness on the snake-rail fence over yonder. Next day, which is sunny, Orlando comes back to his field and finds that, with the drying of the buckskin harness, his plow's been drug in a straight furrow smack

The Sage Brush War

up to where the harness was anchored to the fence!

The Never Sweats of the Valley might have withstood the taunts of their mining town neighbors over the mountains with equanimity—probably they did—had it not been that before long what appeared an effort to sting them in their pocketbooks was launched by the authorities of Plumas County. Tax assessors and tax collectors rode their mules over the heights to diddle around and profess themselves competent to collect tithes for the support of the sovereign State of California.

An eye-opener for the Never Sweats!

They didn't believe their valley was in the State of California. The boundary line never had been run; no, not since California was admitted to statehood in 1850. Honey Lake Valley lay within the jurisdiction of Utah Territory—if within any at all—and they'd be dam'd if they'd pay taxes to Plumas or any other county.

See our worthy Rough Elliott standing off the Sheriff of Plumas who has come with his deputies, either to collect overdue taxes or run off stock of the delinquent in equivalent. Rough, with his boys behind him each armed with a shotgun; Sheriff Pierce with his deputies sitting their horses light and with trigger fingers light under the guards.

"If any So-and-So starts to cut my cattle fer any This-and-That California County, there's goin' be somebody so dead that God A'mighty won't even reckernize his ghost!"

The Hell-roarin' Forty-niners

Obscure historians attest that just at the shooting moment Mrs. Rough Elliott appeared at the cabin door and sounded the triangle to announce that hot biscuits, honey and beef were ready for all comers, whether from Plumas over the mountains or not. And hunger triumphed over passions.

This tableau duplicated the length and breadth of Honey Lake Valley—perhaps not always with the diplomatic intervention of a Mrs. Rough Elliott and her grub call.

It was on August 4, 1857, that the supervisors of Plumas County California, organized Honey Lake Township and appointed justices and constables. Four days later a mass meeting of the citizens of Carson Valley, Utah Territory, was held in the little settlement of Genoa in the desert east of the Sierras; its avowed purpose was to organize the new "Territory of Sierra Nevada" out of the western tag-ends of the vast Utah Territory, including "that portion of California lying east of Sierra crest and never defined by proper survey." The worthy Isaac Roop and a handful of the Never Sweats were in attendance and helped draft a memorial to Congress. As witness:

There are some portions of the Great Basin of this Continent claimed by the State of California in which reside a considerable number of people who in the winter time can have no connection with it. This is the case with those

The Sage Brush War

who reside in the Honey Lake Valley, east of the Sierra Nevadas. They can have no intercourse with other parts of the state during the rainy season of nearly four months of every year.

If they are forced to remain with California they cannot know anything about the affairs of their state during the whole time the Legislature is in session. [Fifteen feet of snow over the passes in midwinter.] It is, therefore, folly and worse than folly to attach the people of this valley to a state about which they know nothing and care nothing for one-third of the year.

That looks as if the Never Sweats admitted the sovereignty of California, which they emphatically did not. Maybe the seeming admission was for diplomatic reasons.

Fact is that not since the California Constitutional Convention carved out for itself an empire in the fine free-handed way of pioneers in a wilderness had any state official bothered himself with the exact location of the eastern boundary. If folks didn't know exactly where new county lines ran—and they didn't—what the hell difference did it make about a shadowy eastern line somewhere away off from the gold diggin's in a shriveling desert?

In retrospect there is something gloriously grand and free about that Genoa memorial to Congress.

The Hell-roarin' Forty-niners

"We, the citizens—" Why, outside of Isaac Roop and his packed delegation from Honey Lake Valley there were no citizens to speak of in that Great Basin marked all the way from the Mormon settlement of Salt Lake to the Truckee River by bones of draft oxen and skeletons of abandoned prairie schooners. A few storekeepers catering to the wagon trains; a few tough birds driven out of the gold camps t'other side of the Sierras; here and there a grubby prospector living on hopes and salt horse. . . .

Well, somebody at that Genoa convention raised the wind to send to Washington one James E. Crane, chosen for his "candor, fidelity and ability"; Crane to carry the precious memorial and institute a little lobby for the "Territory of Sierra Nevada." He killed himself working at his job.

The tight-lipped Roop and his clan got back to their valley just in time to learn of the action of Plumas supervisors in organizing a Honey Lake township. Forthwith pony riders went up and down the Valley and on August 29 a mass meeting was held at Thompson's ranch.

Whereas, we the citizens of Honey Lake Valley, entertaining a reasonable doubt of our being within the limits of the State of California, and believing that until the eastern boundary of the State is determined by the proper authorities no county or counties have a right to extend their

The Sage Brush War

jurisdiction over us, therefore be it resolved by the citizens of Honey Lake Valley in mass meeting assembled that we consider the action of the Board of Supervisors of Plumas County an unwarrantable assumption of power. . . .

Therefore, be it further resolved that we will resist any action of the authorities of Plumas, and individually and collectively pledge ourselves by all we hold sacred to assist and aid each other in resisting any infringement of our rights.

There was a gesture for you! Two hundred-odd one-gallus men over the mountains on the rim of nowhere—snow peaks behind them, desert before—telling the sovereign County of Plumas where it got off. . . .

But Plumas, which was a mining county and which said in scorn that the Never Sweats of Honey Lake Valley bought bale rope chiefly to keep their pants up, was not going to tolerate any secession. Moreover, there were in 1858—according to the *Plumas Argus*—lands in that valley assessable in the sum of \$76,777; and that was something!

Wherefore tax collectors, with sheriffs riding hard on the tails of their mules, climbed the passes from Plumas into the Valley to collect taxes or sequester property in lieu of unpaid taxes. They collected more fights than taxes. The worthy Rough Elliott hung up his brag in the Magnolia Saloon at

The Hell-roarin' Forty-niners

Susanville that if any son of a gun ever could prove he, Rough, had paid a cent of taxes to Plumas or given up a single head of stock, he'd eat his bald-faced shirt beginning with the studs.

So while life went roaring through the gold camps on the Sierra's western slope; while the Vigilantes hanged Sydney ducks in San Francisco and posses chased Joaquin Murietta, the bandit, in the mountains, a lively little ghost of sedition was growing in this quiet backwater between desert and mountain which was the home of the Never Sweats, a stiff-necked generation.

Gilbert and Sullivan were born a decade or so too late to seize upon the made-to-order plot that was ordered by circumstances in the year '59. Then a second convention was held at Genoa in the Carson Valley, perhaps inspired but certainly dominated by Isaac Roop, at which a "Declaration of Cause for Separation" was solemnly adopted—the separation being, presumably, from the unwieldly Territory of Utah—and a constitution for the Territory of Nevada, not "Sierra Nevada" this time, drawn and ordered submitted to an election on September 7.

At that election the constitution was carried and Roop elected governor of the "Nevada Provisional Government."

A citizen of California, which he had been all the time, elected governor of a seceding territory. . . .

What anvil firing was there in Susanville when Governor Roop returned to his residence; what

The Sage Brush War

decorating of the mahogany in the Magnolia Saloon! The Never Sweats had put Plumas County to scorn and had a territory and a governor for their own.

Straightway Honey Lake Valley constituted itself Roop County of Nevada Territory and sent word over the mountains to Quincy that if any two-bit sheriff or tax collector so much as showed his shirt tail over the line of the new territory he'd get his tail burnt.

Next Fate shook something out of her sleeve. A fabulous gold strike on a bare mountain in the desert was followed by the location of the Comstock group of silver and gold workings. Virginia City leapt full-born out of a wilderness. A tide of madmen from the California diggings swept back over the mountains to this new El Dorado. Governor Roop's provisional territory suddenly bulged into the eye of all the world—and that before he'd ever got his legislature really started.

Alas for the hopes of the shadow Aaron Burr of the West! Congress could no longer permit a handful of one-gallus men to play at having a government in a bleak sage brush desert. In March of '61 it created the Territory of Nevada and President Lincoln appointed a veritable governor to come out and supplant Isaac Roop.

In carving Nevada out of the wilderness, Congress, which didn't know any too much about Western geography, gave Nevada all lands east of the "dividing ridge separating the waters of Carson

The Hell-roarin' Forty-niners

Valley from those that flow into the Pacific," thereby including Honey Lake Valley. The enabling act stipulated, however, that if any of this territory was claimed by California it should lie with that State until the latter should consent to yield it to Nevada.

Which left the fat right in the fire where it had been for ten years.

Under the new dispensation an election was held in the Valley. At each polling place were two ballot boxes: one representing the sovereignty of California, the other that of Nevada. With a delicate sense of humor the Never Sweats dropped ballots in both—aye, stuffed 'em!

Ensued what some master of brevity first summed in the classic compound, hell-to-pay. . . .

In January of '63 Judge Mott of Nevada came to Susanville and swore into office the officers elected for the territorial county government. John S. Ward, Nevada probate judge under that election, immediately issued an injunction prohibiting William J. Young, duly elected justice of the peace for Plumas County, at the same balloting, from serving his office. Young refused to heed the injunction. Ward fined him \$100. Young refused to pay.

Then, over the mountains in Quincy, reprisals started. County Judge E. T. Hogan issued an order restraining Judge Ward and Sheriff Cap Hill—both of Roop County, Nevada, remember—from exercising jurisdiction in Plumas County, which meant in Honey Lake Valley. On their refusal to

The Sage Brush War

abide by his order, Hogan issued warrants for their arrest and put them in the hands of Sheriff E. H. Pierce and his deputy, J. D. Byers.

This was in February and the two peace officers from Quincy had to fight their mounts through ten feet of snow on the summit. They came to Susanville and promptly arrested Judge Ward and Sheriff Hill. Before they had taken their prisoners more than four miles on the road back to Quincy ex-Governor Roop, Rough Elliott, Whangdoodle Brannan and three other loyal Never Sweats were upon them.

Shooting words were indulged, but there was no shooting because someone discovered that everybody involved in the quarrel was a Mason; and the Square and Compass were potent symbols in pioneer California. Sheriff Pierce bowed to superior force, left his prisoners in the hands of the Never Sweats and took his deputy back to Quincy.

First overt act in the Sage Brush War.

Hell popped when the discomfited sheriff got back to his own side of the mountain fence. Those Never Sweat clodhoppers would be shown something. Sheriff Pierce swore in a posse of ninety-three men, got together a string of pack animals and—final dramatic gesture—limbered up a little brass cannon that stood before the Quincy courthouse for Fourth of July salutes, packed it on the back of his strongest mule; then waved his rifle at the forbidding line of snow mountains hedging off the valley of rank secession.

The Hell-roarin' Forty-niners

"Forward, brave men!"

This was to be an invasion, no less.

Follow a line of black dots threading upward over dazzling snowfields where February storms have packed the stuff higher than a mule's ears—twice as high. Floundering, falling into hidden streams, risking broken necks in crossing the trash of avalanches; up and up to five thousand—to seven thousand elevation: Napoleon over the Alps; Sheriff Pierce over a Sierra divide!

The army of invasion camped, after four days, at the Lanigar ranch four miles from Susanville. The little brass cannon had bogged down somewhere behind in the drifts and was following more slowly. The sheriff and a few of his most trusted men rode into the sprawl of log and board shanties that was Susanville; boldly and with rifles across their pomels. There he sought out Judge Ward and Cap Hill, the offending sheriff of Roop County, and gravely rearrested them.

You can conceive the excitement that boiled down Susanville's main—and almost only—street when the enemy thus boldly made his appearance, prepared to snatch two stalwart Never Sweats from the community hearth. Perhaps the Plumas officer wished to avoid an immediate clash at arms; perhaps discretion weighed with him. At any rate, with his prisoners right in his hands Sheriff Pierce paroled them on their promise to give themselves up when wanted, and he and his escort retreated from

The Sage Brush War

Susanville to the main body of the invaders at Lani-gar's ranch.

Now the Sage Brush War entered upon what strategists would call its second phase.

See Sheriff Pierce and his whole force, saving only that menacing cannon, ride down upon Susanville the following morning. The vanguard comes to a rope laid across the street just before a small and tight log house, which was the original dwelling-store-hotel built by Isaac Roop in 1853. Scouts with rifles stand back of the rope and warn the Plumas men that the first to step across it will go straight-way to his Maker.

Yes, these doughty ones admit, Judge Ward and Sheriff Cap Hill are in that log house with a hundred rifles to defend them—the place held a bare thirty with crowding—and let any dad-blistered outsider try to get 'em!

Once again the Sheriff of Plumas wavered. Instead of rushing the log fort, he retired his force to a barn north of Cut Arnold's log hotel and about 150 yards distant from the Roop shack which the Never Sweats had barricaded. The walls of this bar were thin whipsawed board; Pierce set his men to ripping up the floor and reinforcing the wall facing the log fort.

Some great foot-square hewn timbers lay in the lot between barn and fort. Pierce needed these in his engineering work and sent a party of four with ropes to drag them across the snow. Crack! went a

The Hell-roarin' Forty-niners

rifle through a loophole in the log house, and a Plumas man went down with a bullet in his hip. That started general firing. The invaders aimed at the chinking in the logs. The beleaguered Never Sweats took chances on driving through the barn boards indiscriminately.

Judge Ward, the paroled prisoner about whose defense the battle raged, caught a bullet in his collar bone when he dodged out of the fort down the hill to a spring to fetch water. He was carried to Whangdoodle Brannan's hotel, where also lay the wounded invader; and a sister of Isaac Roop's constituted herself a war nurse to care for both men.

So nearly a day of almost bloodless battle. And here is a specially choice morsel which a Sullivan could set to a Gilbert's tinkling lyric:

Susanville filled with folks from the near-by sage scrub who'd "come in to see the fun." Not all of Susanville, either, felt the mighty partisan spirit that fired the fort's defenders; for the men behind log walls were the old time Never Sweats with hatred of Plumas in their hearts, and more than half of Susanville's population were newcomers who just didn't care which side triumphed.

So while rifles cracked at one end of the straggling village the Magnolia Saloon at the other end did a roaring business. Fighters from the barn and fighters from the fort sneaked around the zone of fire and met at the bar, there to engage in personal combat with nothing barred except weapons not

The Sage Brush War

given them by Nature. Gory combats much more maiming than the official one in progress down Main Street.

And what of that stalwart empire dreamer, ex-Governor Roop, all these hours of hypothetical carnage?

Well, the good man soared above partisanship. He took no active part in the defense of the log fort; rather, he was busy keeping his coat tails free of bullets as he dodged from cabin to barn and back to cabin again on errands of peace. He was for arbitration rather than bloodshed. His friends, so he told Sheriff Pierce, would burn the whole town before they permitted Ward and Hill to be carried away to Plumas. Finally he won the agreement of both sides to an armistice.

While high talk between representatives of the warring factions was going forward all night in Whangdoodle's hotel, Rough Elliott, captain of the Never Sweats, smacked the spirit of that armistice squarely on the nose. He sent couriers to Toadtown and to Janesville to bring in more men, powder and bread baked by farmer's wives. He threw up rifle pits on both sides of the Plumas barn so as to out-flank it. He planned that with the coming of morning his men would shoot red hot ramrods from these rifle pits onto the roof of the hay stuffed barn wherein the enemy was ensconced.

Sheriff Pierce hoped and hoped for the coming of his little brass cannon upon which he pinned reliance

The Hell-roarin' Forty-niners

to breach the walls of the Never Sweat stronghold. Vain hope! That cannon did not reach Susanville until the following Fourth of July when it was crammed with powder and exploded with more attending danger to citizens than the whole day of battle.

With the morning, Pierce seeing himself out-generaled came to terms. Both sides agreed not to press attempts at jurisdiction over Honey Lake Valley until a joint committee, chosen with deep solemnity, could lay the respective claims of Roop and Plumas counties before the governors of Nevada and California.

Then a mighty wassailing at the Magnolia, with no biting and knuckling out of eyes as of yesterday. And the sheriff of Plumas with all of his men—save the one with a bullet in his hip—marched out of Susanville headed for the great white spikes of the mountains.

The sheriff went with his dignity, perhaps, but not with the two prisoners whose arrest had precipitated the battle.

Some time later a joint boundary commission of Nevada and California confirmed the latter's possession of Honey Lake Valley. Whereupon the recalcitrant Never Sweats put screws on the California Legislature and had their valley cut off from the hated Plumas. It became part of the new county of Lassen.

Go to the Valley to-day and you'll find it little

The Sage Brush War

changed from the day when Isaac Roop looked upon it with the flaming eye of a free spirit resisting oppression. The full tide of our present-day life never has lipped over the edge of its purple sage plateaus. It is still aloof from the world.


•

The Story of Lucky Bill

•

Chapter 14

THE STORY OF LUCKY BILL

HEN Bret Harte panned literary pay dirt out of the Days of Gold in the late Sixties, everything that glittered he measured by the troy weight of his uncanny writing judgment whether or not it could pass the acid test of verity. Well and good; that is the fictionist's privilege even though he may have to face the protests of the literalists. You still can find Old Timers in the ghost diggin's who'll tell you with righteous indignation there didn't never happen sich goin's-on in Poker Flat as this feller Harte writ; an' he wa'n't even thar at no time to see f'r himself what Poker Flat folks done.

Harte, in his tales, bore down heavily on the crude interpretation of justice that obtained through the diggin's—the miners' meeting which on occasions could be purely legislative and again sternly retributive; the hard headed decisions of rough-and-ready justices of the peace; the vigilance committees wielding whip and noose. Particularly did he set a literary style by his handling of the vigilantes: a style whose pallid ghost still flits through the pages of "Western" shockers. Strange that in his sifting of all the rich material to his hand in that time when

The Hell-roarin' Forty-niners

the romance of the gold days still was ripe Bret Harte did not come upon and instantly use the supreme tale of all the records of impromptu justice: A detective story, a heart throb and stark tragedy all in one.

I give you now what Bret Harte missed: the story of Lucky Bill Thorrrington of Carson Valley; how he died for the murder of a Frenchman.

Lucky Bill hailed from Michigan. He left that frontier community in the early Fifties under a cloud and with a young woman, Martha Lamb, who—as the old-fashioned novelists used to say—had “given all for love.” Perhaps Martha Lamb did not find that price insuperable. It appears that Lucky Bill cherished her and the child born to her while crossing the plains with commendable tenderness. Even when his lawful wife and his son by her followed Lucky Bill’s westering a few years after he had got a comfortable toe hold in the new land, Martha Lamb’s lover did not desert her. With fine impartiality he established the girl who had paid a high price for love on one of his ranches in the Carson Valley and his wife in a home in the little hamlet of Genoa hard by; and Lucky Bill divided his time and affections between both.

Considering the lapse of time, there is a surprising wealth of personal detail concerning Lucky Bill still to be found in old newspaper files, in diaries of his contemporaries and books long relegated to the back shelves of libraries. The man must have been

The Story of Lucky Bill

a Robin Hood of the old Emigrant Trail that threaded through Humboldt Sink and up the gorge of the Truckee. He was a gambler, yes; there was more than a suspicion that Lucky Bill turned his hand to highway robbery on occasions; finally he was brought to book on evidence—not by any means conclusive—linking him with a murder. Yet did his contemporaries, even his enemies, concede a great amount of kindness in the man. Many a desperate emigrant winning through the hell of the Sink came upon Lucky Bill open-handed with money or stock to replace beasts lost in the desert. His charities carried his fame over the Sierras to the gold camps.

Yet Lucky Bill had a fatal penchant for activities outside the law and sought the companionship of criminals and hunted men. His home in Genoa and the ranch where Martha Lamb lived became safe harbors for thugs and murderers from over the Sierras. There was, then, no semblance of law in this wild land later to be called Nevada, so it was easy for Lucky Bill to constitute himself the Law for Carson Valley; he with his guerillas and outcasts—a most unholy crew.

“Many of his impulses were such as ennoble men” wrote one of Lucky Bill’s critics, from whom, too, we have a faded daguerreotype in words of the man’s appearance. He was above six feet, weighed two hundred pounds, possessed “large and mirthful eyes,” and his hair was glossy and curly. No won-

The Hell-roarin' Forty-niners

der Martha Lamb put her heart in the hands of this big, laughing man and put more than a thousand miles between herself and pointing fingers to be with him.

I have said the big gambler had a weakness for harboring criminals. When he made himself the protector of William Combs Edwards, he wove hemp for himself. Follow with me, now, a train of circumstances beginning far away from the Carson Valley and leading step by step to a rude gallows reared on the banks of Clear Creek outside the little trail town of Genoa.

In the autumn of '57 a man named Snelling was murdered in his store in Merced County, California. Suspicion pointed to Bill Edwards, but he managed to lose himself in the mazes of the mountains before he could be caught. A few months later a man passing under the name of William Combs became a member of Lucky Bill's gang in the Carson Valley. Combs and Edwards were the same. Every reason to believe he told Lucky Bill he was wanted for murder and that was the reason he found a patron in the big gambler.

But a slow fire was spreading over Bill Edwards' back trail. The Masons of the lodge to which Snelling had belonged offered a reward of \$1500 for the murderer, dead or alive; and from lodge room to lodge room over all the Northern Mines passed a whisper of vengeance. Let it be said, parenthetically, that in the formative days of the Golden State

The Story of Lucky Bill

no more potent stablizing force than the Masons and the companion order of Odd Fellows existed. One delving into the Days of Gold finds hints of influence exerted by these two fraternities on every hand.

In the winter of '58 a man calling himself William Combs came to Honey Lake Valley on the eastern Sierra slope and whacked in with two hard characters, John Mullen and Asa Snow, in a cabin on Lassen Creek not far from the home of one Rough Elliott, whose exploits appear in another chapter of this book. Mullen was suspected by his neighbors because of certain disappearances of cattle in the Valley. It was whispered that Snow had killed a man somewhere in the gold diggin's. Combs devoted himself to working a placer claim on the creek not far from the cabin he shared with the other two bad men.

In the spring Lucky Bill came up from Carson Valley—a long, hard ride—and spent the night with the three outcasts. Upon his departure Mullen and Combs told neighbors Lucky Bill had commissioned them to dicker with a Frenchman named Gordier, a resident of the Valley, for his herd of Durham cattle. The twain were seen riding toward Gordier's place. A few days thereafter Combs, or Edwards we might as well call him, and Mullen disappeared from their haunts on Lassen Creek; Snow, the third of the unsavory trio, gave it out to neighbors that the two had accompanied Gordier on a trip to Carson Valley where he was to close his cattle deal with Lucky Bill

The Hell-roarin' Forty-niners

in person. When Edwards and Mullen returned, they took up residence in Gordier's house, saying the Frenchman had met an old shipmate and countryman in Genoa and, with money for his herd of Durhams in his pocket, had suddenly decided to accompany that friend back to France.

So Mullen and Edwards took possession of the Frenchman's property—Asa Snow herded for them—and professed themselves acting as agents for the Carson Valley gambler.

But that one unprovided-for contingency which always snares the murderer now arose to confound the three desperadoes on Lassen Creek. A young Frenchman who said he was brother to Gordier appeared in the Honey Lake Valley questing the man supposed to have returned to France. The three precious rascals on Lassen Creek had not even known Gordier had a brother. Nor did their tale of a Frenchman's sudden determination to return to his native land convince the seeking brother. He talked. The scattered inhabitants of the Valley began to have fresh doubts of the character of the three bullies who now abode in a missing Frenchman's well feathered nest.

Now steps into the picture Rough Elliott. He came by his sobriquet, not because of his peculiarities of conduct—though I fancy he was hardly a sucking dove—but because he'd once been a placer miner in the camp of Rough and Ready over the Sierras. Rough Elliott was a Mason. So was the missing

The Story of Lucky Bill

Gordier. Moreover, Rough had caught the whisper of vengeance that had come through secret lodge channels from away south where Brother Snelling was killed. This Rough Elliott was a man of a single purpose once his initiative was aroused. He dedicated himself to running down the mystery of Gordier's disappearance; and he had but a single clew to work on: that visit of Lucky Bill Thorrington to the cabin of the three suspects in March.

Now follow Rough Elliott, the M. Lecoq of the wilderness, detective in the rough.

He started to inquire around among his neighbors in the Valley and finally found a group of three men who, engaged on an Indian hunt in March—the month of Gordier's disappearance—had one day heard a single shot fired in the distance when they were camped on Willow Creek. Straightway Rough gathered a party including Mormon Joe Owens, John Mote, a half-breed Cherokee, and three others and they followed the trail down the Susan River to where Willow Creek made its confluence where, approximately, that mysterious single shot had been heard a month back. There they fanned out through the sagebrush, eyes to the ground.

It was the half-breed Indian who came across the ashes of a burned Indian wikiup near the river bank and who found in those ashes just two metal pants buttons. Indians in that wild land did not wear anything that buttoned. Indian John also was able to trace tracks of men and a horse from the site of

The Hell-roarin' Forty-niners

the burned wikiup to a deep hole in the river near by. He tried diving into that hole with a heavy rock in his hands to pull him to the depths, but the chill of the water nigh killed him and he had to desist. Back to the settlement of Susanville went Rough Elliott and his party of sleuths, convinced that there was a sinister relationship between two flame blackened buttons in the ashes of an Indian wikiup and that icy water cavern of the river.

A few days later Rough Elliott and a larger party returned with materials for making a raft. Logs were bound together, and a man armed with a long pole at the end of which a hook from a log chain had been bound pushed himself out over the deep green pool. He probed the depths. He finally brought to light the naked body of Gordier the Frenchman. A bullet had crashed through his head from behind. His body, stripped, had then been bent and bound about a boulder and sunk in icy depths.

A coroner's jury in Susanville voted that Gordier had come by his death at the hands of Edwards and Mullen and that Asa Snow and Lucky Bill Thornington of Carson Valley were accomplices to the crime.

Rough Elliott instantly organized a crowd of vigilantes who galloped to the murdered Frenchman's ranch by Lassen Creek. Already Edwards and Mullen had flown—Mullen never to be seen again—and Asa Snow, the puncher of stolen Dur-

The Story of Lucky Bill

hams, alone remained. Snow snarled oaths and denials of any knowledge of murder at his accusers; he was ready to brazen it out with the vigilantes. But this Asa Snow had misjudged the caliber of the Honey Lake Valley men. In reply to his corruscating obscenities they dropped a noose over his head and hoisted him off the ground. When he had strangled a bit, the rope was eased away and the wretch was given a chance to confess. But Asa Snow cursed afresh and he was given a second dose of torture. On the third suspension the vigilantes "kept him up a little too long," as one contemporary historian naïvely puts it. Asa Snow died by inches.

Now Rough Elliott, detective, turned blood hound. Remembering that first clew of his, the visit of Lucky Bill to the three bad men on Lassen Creek, he put his affairs in order and set out a-horse for Carson Valley. Rough left behind him with his fraternity brothers instructions for their mobilization and invasion of the suspected Thorrington's desert stronghold, once they should receive word from him. He rode down the slope of the mountains into the purple immensity of the land of thirst.

To me there's something of high drama about this sally of Rough Elliott along a blood trail: A crude, one-gallus man from a country wild as the stormy heart of ocean risking himself in the domain of a laughing freebooter to follow purposes of law and vengeance sworn in a secret room over due-guard and sign. Rough Elliott riding alone. . . .

The Hell-roarin' Forty-niners

He came to the Carson Valley and Genoa, its hamlet of a single street. He met Lucky Bill. He represented himself, honestly enough, as a resident of Honey Lake Valley and a friend and neighbor of Edwards; and by devious innuendo he conveyed to Lucky Bill's mind the impression he was "regular"—that is, one of those shifty-eyed irregulars dear to the heart of the bad men's king. In course of a few weeks Rough was received into the fraternity of Lucky Bill's scaly crew and even met Bill Edwards, who was cautiously in hiding somewhere back in the mountains. Apparently the murderer's suspicions were not aroused by the presence of an old neighbor from Honey Lake Valley.

Rough Elliott learned enough to convince him of Big Bill's complicity in the murder of the Frenchman—just how conclusive this evidence might be does not appear in the scattered bits of record. Secretly he sent a messenger back over the mountains with word for the clan to gather and swoop down upon the murderers' roost in and around Genoa. Forty men took saddle and wound through the tortuous aisles of Jim Beckwourth's Pass; up and up to the zone of perpetual snow and then down the long sage slope which flows like a tide flat away from the eastern Sierra slope. After two days and nights the vigilantes approached Genoa at the ghostly hour just before sunrise when the little huddle of shacks lay in gray light. Elliott arose like a wraith from the sage by the trail as the first of the pale horsemen

The Story of Lucky Bill

drew up, flung himself behind a rider and piloted the expedition into town.

Before ever an alarm was given Lucky Bill's house was surrounded and men with rifles in their hands thundered on his door. "My life is not worth a bit piece," the laughing desperado is credited with saying when he came to his door and saw himself delivered into the hands of avengers. Lucky Bill's lawful son, Jerome, also was made prisoner—he was a boy seventeen—and two gamblers who were found asleep in an adjacent saloon. The Honey Lakers, you see, knew themselves to be in the land of a dangerous enemy and were taking no chances of a counterattack on the part of Lucky Bill's gang.

Now lights began to flash all up and down the single tawdry street. Genoa was aroused. Honest folk who'd lived under the domination of Lucky Bill and his hellions found themselves delivered. The crooked and the shady either took to the sagebrush or were rounded up by the crusaders from over the mountains. It was a complete clean-up.

The giant leader of the roughnecks and his son were bound and stowed in an upper room of the Singleton Hotel; "like father like son" would seem to have been the prompting caution of the Honey Lakers. But Edwards, one of the main trophies they'd hoped to bag, was not in Genoa. Lucky Bill alone knew where the man was hiding out. To him came Rough Elliott, now disclosed in proper character, and a bargain was offered. The boy, Jerome,

The Hell-roarin' Forty-niners

should go free, Rough promised, if Lucky Bill would command him to go to Edwards' hiding place and lure him into the open. Here was a nice problem in frontier ethics for the big desperado to solve: he must betray a henchman to save his son. Lucky Bill, doubtless believing that the boy's life was not worth a bit piece either, decided in favor of his son. Young Jerome was freed and put on a horse. He was to ride to Edwards' retreat, tell him the vigilantes from Honey Lake had come to Genoa to get him and command him in Lucky Bill's name to meet him, Bill, at the Thorrrington ranch so that they could plan to flee the country together.

Jerome performed his mission faithfully. Twelve men, meanwhile, rode out to the Thorrrington ranch where the girl Martha Lamb and her infant lived alone. They told her Lucky Bill was to hang—told her brutally and with relish. Then they prepared an ambush for the desperate man Jerome Thorrrington was to bring in from the mountains near midnight.

You can visualize the scene in that remote ranch house on the sage plain: A single long room with its fireplace of mud and sticks and with bearskins on the walls; no light but the flicker of flames amid the pine logs; twelve men lolling on the floor awaiting a victim. And Martha Lamb, the girl who had given all for love, who was a thousand miles away from arms that might have been comforting in forgiveness; Martha Lamb sitting there with a sleep-

The Story of Lucky Bill

ing child in her arms, behind her eyes the vision of a big, laughing man with glossy hair being led to the halter. . . .

The little clock on the mantel bangs out the hour of midnight. Silence again and then the sound of hoofs on the baked dirt of the dooryard. Twelve men lift themselves from the floor and are tense. The door opens and Edwards the murderer takes a step into the room. A club crashes against his head from behind and he drops like a felled ox. A single sharp scream from Martha Lamb.

With the coming of dawn the twelve vigilantes, with their captive, started back to Genoa. Edwards, knowing he was doomed, seized upon a moment of carelessness and made a break for liberty. Rough Elliott, the redoubtable, was after him. Edwards plunged into a deep pool of the river flowing tangent to the road at that spot. Elliott leaped after him. A bitter struggle in icy depths and Elliott triumphantly dragged his man, nigh drowned, to the bank. Subsequently the blacksmith of Genoa made a pair of leg irons from an old frying pan. Bill Edwards never ran again.

Genoa, over succeeding days, was under martial law. The vigilantes patrolled the town with rifles, alert against expected attack by Lucky Bill's followers reported to have mobilized back in the mountains. Fearing treachery on the part of some of the town's citizens secretly espoused to the big gambler,

The Hell-roarin' Forty-niners

Rough Elliott and his men moved their prisoners out to a barn on the Clear Creek Ranch.

"One hundred and fifty citizens met to-day," wrote J. A. Thompson to the *Sacramento Bee*, "to try the men arrested. There is no excitement here, and all seem disposed to give the men a fair and impartial trial." Fair and impartial, indeed, were the extralegal proceedings that went on in the barn on Clear Creek. John L. Cary, of Placerville, was selected for the presiding judge; John Neale of Honey Lake Valley and Dr. B. L. King of Genoa were associate judges. A lawyer was appointed to defend Edwards and another, one Major Reese, to represent Lucky Bill. Twelve jurors sat with revolvers on their laps and vedettes with rifles were posted at every approach to the ranch.

Edwards was the first to be put on trial. Rough Elliott was the chief witness against him. This bulldog of a fellow took the stand and read to the jury from a secret memorandum he'd made what time he was under cover in Genoa and a confidant of Lucky Bill. One of the notations in this diary was Lucky Bill's statement that Edwards had told him of his complicity in the murder of Gordier. Mullen and Edwards had lured Gordier to Willow Creek with a story that one of his prize Durhams had bogged down in a swamp there. Mullen had dropped behind while the three rode the river trail and had shot Gordier through the head. The two had then stripped the body, burned the clothes in an aban-



A QUIET GAME IN DAD GOULD'S SALOON, GIBSONVILLE.

(From an old photograph.)

The Story of Lucky Bill

done Indian wikiup and sunk the corpse in a deep hole of the river. According to these notes of Rough's, Asa Snow, whom the vigilantes had accidentally hanged, had no part in the killing.

The jury found Edwards guilty, then the man broke down and confessed everything, including the killing of Snelling in Merced County.

One wishes there was some record of Lucky Bill's trial, which followed that of Edwards; but unfortunately this angle of the tale is missing. Yet, may one believe this fellow with "large, mirthful gray eyes" went to his fate smiling as was his wont?

The jury found him guilty of murder as an accessory after the fact—you see how closely these extralegal courts hewed to the line of legal formality—and ordered that he be hanged.

"He made no confession," the San Francisco *Alta California* records, "but took things coolly, putting the rope around his neck himself. His last words were, 'If they want to hang me, I'm no hog.' "

So Lucky Bill stepped into nothingness from the tail of a cart.

For some reason or other, Edwards was taken away back over the mountains to Honey Lake Valley, and there he got the rope.

Contemporary records say—perhaps with an eye to emphasizing a moral—that young Jerome Thorrington became a drunkard and a gambler and dropped from sight in the California diggin's, and that Lucky Bill's proper wife died in an insane

The Hell-roarin' Forty-niners

asylum. No word of the fate of Martha Lamb, the girl who lived alone with her pledge of love in the sage scrub.

Perhaps it is fitting that a postscript to the tale of Lucky Bill appears in this ironic item printed in the *Sierra Journal* of Downieville:—

“Lucky Bill,” as the papers have it, was hanged by a mob in Carson Valley on the 19th. He was accused of having murdered a Frenchman. More “luck” next time, Bill.

.

Concerning Bald-headed Whizzers

.

Chapter 15

CONCERNING BALD-HEADED WHIZZERS



YPICAL adjunct to life in the hell-roarin' days of the Argonauts when camps reeked gold and the humors of men were raw as new-plowed prairie land, was that effervescent phenomenon known as the Whizzer.

The Whizzer was the high ace in the deck of life as it was dealt over gravel bar and auriferous stream bank. Individuals and towns reaped fame by it. A successful Whizzer not only crowned its originator and perpetrator with glory, but shed an enviable light upon the entire community that witnessed—or suffered—its execution. Whizzers of superlative merit have been embalmed in the memories of very old men who still sun themselves in the ghost towns of gold and who can be led, with much chuckling, to recount them. In a few rare volumes of reminiscences long out of print you'll find samples of this long extinct genus pinned like gorgeous butterflies to the pages.

A noteworthy swindle, a practical joke, a brilliant hoax: these were the magic components of which the Whizzer was made. They were of two classes, the plain and the bald-headed. A bald-headed

The Hell-roarin' Forty-niners

Whizzer was one so adroitly built upon a human foible or frailty, so carefully exploited by its author as to bring a whole community into the arena of mocking laughter. The distinction between the two varieties was comparative; the gage, you might say, of genius.

One of the earliest Whizzers of the gold diggin's to gain immortality was that one perpetrated by a genius whose name comes down as Pike Sellers—undoubtedly one of the wild Missouri hellions generically lumped as "Pikes" in the vocabulary of the mines. This Pike had an imagination and a devilishly sly humor which would qualify him to-day for one of our highly specialized lines of salesmanship.

It was in the spring of '50 when word of the incredible richness of Downie's Flat, away up near the headwaters of Yuba's north fork, swept downstream and set a crowd of wild-eyed boomers hurrying thither. Original discoverers of Downie's Flat were digging a pound of gold a day to the man out of crevices under the rim rock with the point of a butcher knife! Major Downie himself had sifted downstream to Bullard's Bar with \$3000 in nuggets, result of three days work! So rumor exploded.

When the first of the rush commenced to lower themselves hand over hand down the precipitous wall of the gorge to Downie's camp on the forks of white water they were not very cordially received by the ten or a dozen original discoverers who'd

Concerning Bald-headed Whizzers

spent a hard winter there. It was, in fact, quite true that Downie and his associates had been whittling raw gold out of the bank with butcher knives and iron spoons over several months; and they did not welcome a division of riches.

Then it was that Pike Sellers had his inspiration.

He was working away at the soft dirt of the stream bank one day when he saw one of the boomers, pack on back, crawling precariously down trail. Pike, unseen himself, scrambled up out of the stream bed and commenced furiously prying with his long knife at the bark slabs on a jack pine. Just as the stranger came up one of the rough shags of bark became loosened. Pike pushed two fingers behind it and withdrew a fat gold nugget.

Eyes of the stranger popped. Pike tackled another bark slab without so much as a glance over shoulder at the fascinated onlooker. By a simple trick of legerdemain that hunk yielded a second alluring gold pebble.

"My Gawd!"—from the tenderfoot. "I hearn ye was diggin' the yaller stuff out'a cracks in the rocks, but I didn't know she grew on trees."

"Gits lodged thar when th' tree's pushing up through th' soil," indifferently from Pike. "Most of th' nuggets is up higher, but too dam'd much trouble to shin up the trees. Me, I'm jist satisfied to peck round nigh th' ground."

Under the believing eyes of the newcomer Pike found a couple more nuggets. Then the former

The Hell-roarin' Forty-niners

whipped out his bowie knife and started to work on a near-by jack pine.

"Hold on thar!" commandingly from the Sellers person. "Yo're on my claim. Rule in this camp ev'ry fella's entitled to ten gold bearin' pines; that thar one belongs to me."

The boomer wanted to know in an excited whine where he could stake himself to a tree. Reluctantly Pike Sellers abandoned his work to stride through the forest to where a jack pine of smaller growth reared.

"Like I said, she's richest nigh th' top. Ye can climb this one 'thout a ladder iffen yo're so minded." Pike showed a commendable interest in seeing the newcomer make his first strike of jack pine gold. The latter dropped his pack and, bowie in teeth, commenced to shin up the rough trunk.

"Higher up's better," bawled Pike when his protégé had come to the first limbs. "Nothin' but flake gold low down mostly."

Up went the avid tenderfoot, before his eyes the vision of a man prying nuggets from beneath pine tree bark. Pike let him risk his neck until the luckless light-wit was fifty or sixty feet from the ground.

"That's a likely 'nough place to begin on. Only be mighty keerful not to drop any nuggets. I kain't be held responsible fer losses like that."

The searcher after tree gold began to attack the bark with his bowie knife. Pike Sellers sifted back to the stream bed to bring an audience for the farce

Concerning Bald-headed Whizzers

comedy he had staged. Thereafter "jack pine gold" became a synonym through all the Northern Mines.

Pike Sellers reaped enduring fame as the father of a Whizzer.

The scene of one of these examples of diablerie which comes well under the qualifications of the bald-headed rank is Galena Hill—or what remains of it. Five headstones hidden in the forest of second growth timber; not another stick nor stone to mark what was a high rollin' camp of the Fifties.

When a thousand ground sluicers were washing an old river channel down to rich bed rock here at Galena Hill—the great cut is almost masked now by manzanita and lusty young pines—life ran high. Saloons and gambling halls never closed. The hurdy-gurdy gals came and went, dispensing their favors at a dollar a dance. And there was Madam Jewsharp's fandango house.

Now Madam Jewsharp was hardly a lady. She was, in fact, a "Sydney duck"—vernacular for one from the convict camps of Australia—and she bore the sign of that caste—a chip neatly knifed out of her right ear. But have it on the word of old Henry Hazen of Depot Hill, Madam Jewsharp ran a good house: no fights or loud swearing—or practically next to none.

Things went smoothly at the Maison Jewsharp until one Blazer Bill hit the diggin's. A fightin',

The Hell-roarin' Forty-niners

swearin', cantankerous son of a gun was this Blazer Bill [says Henry]; got himself run out of Brandy City, did Blazer, for slitting a gal's silk stocking for the nugget she had under her garter.

Starts right in makin' his mark in Galena Hill.

Got away with it, did Blazer, until one night he runs foul of Madam Jewsharp, which she's a bad old catamount to tie into once she roaches her hair and goes on the warpath. One word leads to another until finally the two of 'em lace into a scuffle and Blazer so far forgets his gentlemanly instincts and early trainin' as to bite the lady. Yessir, bit her plumb fair!

Then next day she has him arrested for what-you-call-it—mayhem. Yessir, mayhem's the word. A right bad soundin' word, too, to hear round a respectable camp.

Looks like Blazer's in for a stiff term in county jail until he gets old Judge May of Camptonville to defend him. "I'll get you a change of venom to Downieville," the Judge tells Blazer. "You can't get a fair trial at Camptonville Court, what with the prejudice raised agin' you."

Which he does. And trial day you couldn't wedge a thin half dollar between folks jamming that court room. Everybody there to see Blazer Bill get soaked for that outrageous crime of—of mayhem.

Madam Jewsharp takes the stand to tell judge and jury about her bein' bit by Blazer, the prisoner.

Concerning Bald-headed Whizzers

And she don't miss nothin' in describing the attack.

"Now, Madam Jewsharp," says Judge May, Blazer's lawyer, "kindly show judge and jury where you was bit."

The old girl backs and fills and pulls a blush; but the Judge he clears the court room after a lot of trouble. Then the Madam shows judge and jury where she was bit—a double row of purple tooth marks plain as a signpost. Then Judge May puts Blazer on the stand.

"This is the man you claim to have bit you?" he asks Madam Jewsharp.

"Yessir—ee!"

"Blazer," says Judge May, "turn an' face the jury full." Which Blazer done.

"Blazer, open yore mouth wide." He done that, too.

Blazer Bill didn't show a tooth on his whole upper jaw!

A' course, the jury had to acquit him. And when Blazer got back to Galena Hill Judge May give him back his upper teeth.

One of the by-products of the veritable blown-in-the-bottle Whizzer was the readiness of its victims to join in the laugh raised at their expense. It was an accepted convention that rancor marked a man down as a short sport and heightened the credit accruing to the nimble wits of the Whizzer's author.

In the spring of '51 a notable Whizzer sprung on

The Hell-roarin' Forty-niners

the entire town of Nevada City resulted in a celebration by the dupes which set a new high-water mark for that popular pastime.

Two seedy looking showmen came up from the Southern Mines and hung a placard in front of Caldwell's Store:

FIGHT TO THE DEATH

Between the Champion Jackass of the State
and
A Ferocious Grizzly Bear

The bill set forth that the champion jackass already had whipped two bulls and a mountain lion down in Sonora and would fight the ferocious grizzly, rain or shine, on a certain date. Nevada City was skeptical until it saw a stockade of split pine posts bound with rawhide commence to rise outside of town. Then bets began to be laid on the respective chances of the fighting jackass and the grizzly. Excitement mounted.

On the day of the battle nearly all the camp made for the staked arena. A rope stretched about two hundred feet from the stockade represented the seating space for the paid admissions—\$1.00—and more than a thousand dug up the dollar.

Spectators could see between the palings of the stockade a little mouse-colored jack nibbling grass

Concerning Bald-headed Whizzers

and idly switching at flies. He didn't look much like a champion. Betters on the jack began to hedge by laying odds on what was inside a large packing box den which was pushed close to a trapdoor giving onto the arena; at least the smell told them a bear was inside.

Finally the showmen raised the trap before the den and did some vigorous prodding with a long pole. After much hair raising growling—"man, that jack's a sure goner!"—there scuttled into the ring an undersized, very sick looking cinnamon bear. You could tell he was crying for his mamma just in one look.

The champion jackass gave the intruder one careless look over shoulder and continued cropping grass. A roar of disappointment from the crowd which must have speeded the two showmen on their way—for they hit the trail with their gate money just the minute that bear was pried into the ring.

The crowd's yell terrified the bear and he nuzzled up against the jack for company. The latter, disturbed in his browsing, whirled and planted two trim heels under the disturber's diaphragm. Up over the top of the stockade scrambled the squealing bear and down amid the spectators. Men fell over one another and had their faces pushed in the dirt in making an aisle of escape for Bruin. In less than a minute all the spectators had to see for their dollar was a mouse-colored jack switching flies.

Well, there was the Whizzer put over on the male

The Hell-roarin' Forty-niners

population of the biggest camp in the Northern Mines! Did they talk of a rope for the showmen? Not at all. They took that jack out of the stockade and with him at the head, formed a procession back to town. Then from bar to bar with songs and shouts and banging of pistols. At each wet goods dispensary the champion fighting jackass of the state was pledged for drinks all round and then a collection taken to redeem him.

And so far into the night——

Perhaps the classic Whizzer—the classic bald-headed Whizzer of all time—was that one whose authors blundered into its launching under inspiration drawn with corks rather than with native cunning. Hear now the pitiful story of how the up-and-coming camp of Columbia failed to become the capital of the state.

In the early Fifties Columbia with its 15,000 souls, its D. O. Mills bank and its seemingly inexhaustible placers all about, began to think pretty smart of itself. The capital of the state in that time was a nervous and changeable government seat; it had jumped from Monterey to Benicia to Sacramento. Columbia aspired to put salt on the tail of this greatly-to-be-desired prize, and so a petition to the Governor and Legislature setting forth the surpassing merits of Columbia as a capital site received over 5000 signatures and was intrusted to two leading citizens to be delivered in person to the State's executive.

Concerning Bald-headed Whizzers

These worthies rode down to Stockton in the valley, there designing to take boat for Sacramento. It was a long and dusty ride. In Stockton they went to a thirst-cutting station for restorative treatment. Their expense money was ample—some of it was to be used in persuading legislators—and so they prolonged the treatment with no financial pains to themselves.

They found themselves somehow on a boat, but it was a boat bound for San Francisco and not for Sacramento. Heigh-ho, what a bore! Yet even in this embarrassment the two bright fellows from Columbia discovered that things might be a whole lot worse. The San Francisco boat had a bar——

In San Francisco several days later Columbia's representatives sat in the back room of a gilded trap of sin and with their pick-me-ups before them they lapsed into gentle, perhaps tearful, sentimentality. One contributing cause of this mellowness was consideration of the sad fate of their dear friend and one-time fellow Columbian, Black-Shirt Bill, who'd but recently been condemned to a long stretch of imprisonment for stage robbery.

"Poor ole Bill—nev' goin' see God's dear sunlight again! Nev' even goin' have nuzzer drink all his life!"

The more the two ambassadors from Columbia considered Bill's dismal future, the more their hearts warmed to him. Finally inspiration was visited upon the soft-hearted gentlemen. They called upon the bartender for a pen and a fresh sheet of foolscap

The Hell-roarin' Forty-niners

and they changed the whereases and wherefores of the petition they carried to have it read a prayer to the Governor of California to exercise his clemency in behalf of Black-Shirt Bill. A prayer for pardon carrying 5000 signatures of the good people of Columbia.

The Governor pardoned Bill. Sacramento remained the capital of California. And Columbia the aspiring—well, it boasts a population of less than two hundred to-day.

A minor prank, worthy of recording nevertheless for the happy touch of character entailed, was that one involving Dr. Theodore Schubert of Loyalton.

He who called himself Doctor was an excitable German who set up in Dutch Flat, in the gorgeous Fifties, as a shoemaker. Later he turned brewer. Then he quit Dutch Flat for the rising town of Loyalton over Sierra crest to the north.

Homeopathy was a new quirk in medicine in those days, a reasonable revolt—so far as the gold camps were concerned, at least—from the gargantuan doses of medicinal slop the horse doctors of the placers were wont to prescribe for their patients. Theo Schubert, ex-cobbler, ex-brewer, set up his shingle in Loyalton as "Dr. Theodore Schubert, Homeopath."

Scanty references to Dr. Schubert uncovered in an old diary, long attic-bound, have it that the worthy

Concerning Bald-headed Whizzers

German medico was exceptionally precise in the dispensing of his pills. He had one remedy for rheumatism in the right leg or arm, quite another for the same distemper in the companion members. Shooting pains in the right lung called for pellets from one of his formidable array of bottles; if it were the left lung, Doc Schubert looked grave and uncorked a different vial.

Faith must have run high with Loyalton's ailing.

The good doctor shared with a major part of the community—and with the whole life of the gold camps, for the matter of that—a single little weakness: he would get drunk on occasions.

It was on one of these lapses from strict homeopathic probity that Doc Schubert was entertaining the boys at the North Star saloon with a repertoire of fine old German drinking songs. Somebody slipped out to where Schubert's old bang-tail was standing hitched to the little democrat wagon he used in making his calls over the country and then this wastrel perpetrated a dreadful outrage on that bang-tail.

The nag was a dirty white and offered a fair canvas for the joker's talents. He unhitched the horse, with the exception of the headstall and reins, and hid the harness. Old Fritz remained comfortably dozing between the dropped shafts while with black paint the trickster executed a rough sketch of the missing trappings on his back and ribs.

Then a confederate dashed into the North Star to

The Hell-roarin' Forty-niners

tell the Doc of an emergency case over on the Truckee road.

Half of Loyalton gathered to watch Doc Schubert try to hitch up his bang-tail to painted traces and crupper.

When the befuddled homeopath came to full appreciation of the Whizzer that had been put over on him he felt himself deeply insulted. So deeply insulted was he that he hired a hay wagon, moved his house onto the body thereof and departed Loyalton for good and all, taking his house with him!

The spirit of horseplay and the zest for comedy which ran a strong current through all the riotous life of the California gold camps has never been duplicated in any time or community since. Alaska of '98 was too grim a place for foolery. Moreover, even in its present outposts the world has become too sophisticated, too self-conscious to let the play impulse ride high: that play impulse which is deep down in the subconscious of every boy grown a man.

But in the welter of the diggin's during the Fifties and Sixties, when the whole mass of gold seekers was strongly leavened by the native American character—and that largely of the frontier American from west of the Mississippi—a coltish humor seasoned life everywhere. Perhaps the modern psychologist would diagnose this universal attribute as an "escape" from the enormous preoccupation of chasing Fortune's marsh light. Men with no homes, no re-

Concerning Bald-headed Whizzers

sponsibilities, men worn to the bone with the heavy labor of combing gravel for treasure simply had to blow off steam. When it wasn't done in drinking the explosion took the form of hazing or practical joking.

From this simple psychological reaction was born the ancient and honorable Society of E Clampus Vitus, the like of which has never been matched since the first mystic Egyptian or Greek made himself a Noble Grand over a group of initiates.

E Clampus Vitus was the noblest wheeze ever launched under guise of a fraternal brotherhood.

Sam Hartley of Sierra City, "a feller so wild you had to harness him with a pitchfork," is credited with the fatherhood of E Clampus Vitus in 1857. What Sam started there in that raw gold camp lived on for fifty years all up and down the mountain towns, perpetuating Sam's name in increasing bursts of the laughter of men. A half century of joy was Sam Hartley's bequest to the sturdy Argonauts, their sons and even their son's sons.

Beginning as a specially built Whizzer of the first water to be perpetrated upon a single luckless individual in Sierra City, the joy of a night built upon its own success and became the Society of E Clampus Vitus. With mock solemnity Sam Hartley and his crowd granted dispensations for the organization of "lodges" in near-by camps. The joke spread through all the Northern Mines and even down to big towns

The Hell-roarin' Forty-niners

in the Sacramento Valley which were tied to the diggin's by stage and freight lines.

Membership in the "Clampers"—convenient fore-shortening of the hog-Latin name—became a patent of nobility in the chivalry of the mines. Candidates for governor of the State counted it a political asset. Judges of the county court, district attorneys and—whisper!—even a few dominies went the hard way leading to the arcanum of mysteries.

Consider the Downieville lodge as typical. To-day old tads sunning themselves before the St. Charles House there may be beguiled into a recital, with many chuckles, of the goin's-on in which they had a merry part forty and fifty years ago.

An abandoned Methodist chapel, which still stands, sway-backed, at the end of one of Downieville's two streets, was the lodge room of the Clampers. Its carefully guarded interior was rigged up with paraphernalia of genteel torture until it resembled a gymnasium or a crypt of the Inquisition: block and tackle for hoisting, tank for dousing, spiked racks whereof the spikes were slivers of rubber. A hair-raising jungle for a neophyte to travel.

Victims of E Clampus Vitus were the casual stranger, the newcomer to town—chiefly drummers. A new salesman would get off the stage and start making his order rounds. Somebody would pass him on the sidewalk with a swift and mysterious gesture of hailing which he did not understand. The first merchant upon whom he called would repeat

Concerning Bald-headed Whizzers

the mystic high-sign; the puzzled drummer, failing to answer appropriately, would be snubbed by the merchant at once—no order. Same procedure at the next business house. Finally, in desperation, "Say, what's the matter with me, anyway?"

"You're not a Clamper," the local man would vouchsafe grudgingly. Whereupon, if he was a wise drummer, the uninitiate would start prompt inquiry as to the possibility of his joining up. Against seeming reluctance he would win to a part promise that his name *might* be considered. A committee of inquiry then waited upon him and after sizing up his financial capacity, assessed him what they thought he could stand in the way of initiation fee. This amount, invariably due in advance, was liquidated in terms of refreshment—largely bottled—against the night of the shearing of the ewe lamb.

The big night! On the steps of the abandoned Methodist chapel the most bellows-lunged Clamper appears with an eight foot tin horn—the "hewgag." On this he sounds three mighty blasts which can be heard away down the cañon as far as Goodyear's Bar. This is the call to the massacre, to be heeded joyfully by every member of E Clampus Vitus.

Later a blindfolded victim, stripped to a pair of trunks and with a heavy leather belt securely buckled about his middle, stands with his conductor before a guarded portal.

Voice from Within: "Who comes here? Who comes here—and why not?"

The Hell-roarin' Forty-niners

Guiding Shepherd: "A shivering mortal, drenched in sin."

Voice from Within: "Fling wide the pearly gates and let the double-ended deletion in."

Once within the hall of horrors, the initiate is asked if he believes in the elevation of man. Prompted to a "yes," he is straightway elevated by pulley rope and hook attached to a ring in his belt—elevated to the rafters, whence he makes a fearsome drop into an ice tank. And so the poor wight passes from spasm to spasm of congealing terror. Woe be-tide him if he shows even the slightest hue of yellow.

And all this to the measured intoning of a ritual which is a gem of ribald literature; it leaps from dizzy heights of mock sublimity into the most Rabelaisian vulgarities. A printed copy of this ritual came to my hands—an Old Timer with an electric torch found it for me in a barrel stored in a building deserted for thirty years—and, reading it, I cannot but speculate upon its anonymous author. Some scholar in red shirt and jack boots writing with his tongue in his cheek and a bottle of whisky right handy; some scholar, I say, gone addled.

Too bad that this literary curiosity from the Days of Gold cannot be republished. But I fear it cannot be—not even in the Scandinavian.

When California outgrew the knee pants of its riotous youth and came to the self-consciousness of chambers of commerce and culture clubs, E Clampus Vitus passed. Its last noteworthy activity

Concerning Bald-headed Whizzers

was in the late Nineties when a noble Scottish lord, who had married the daughter of a San Francisco washerwoman and in other ways attracted considerable attention to himself, was made a Clamper. They gave him all three degrees in one flaming night. They nearly killed him.

It is reported that after all was over his lordship was heard to murmur feebly, "Fawncy! To travel all ovah th' silly world and have to come to Marysville to be made a fool of!"

-

.

Ghost Towns

-

Chapter 16

GHOST TOWNS



ON a day in 1884 a severely legal looking gentleman in his chambers behind the United States Circuit Court, in San Francisco, wrote his name, Sawyer, at the bottom of his decision in the suit, *Woodruff vs. North Bloomfield Mining Company*. That pen stroke put a period to the most picturesque era in the history of the New World. It turned the calendar page on the Days of Gold.

For it granted permanent injunction against the North Bloomfield Mining Company and all other hydraulic operators in the gold fields except those—in one very small district in the Coast Range mountains—who washed their débris directly into the ocean; enjoined them forever from rending gravel mountains with their steel-like jets of compressed water and thereby filling the lowlands and navigable streams of the valleys with the shards of a whole mountain range. That pen stroke came as climax to years of bitter struggle between the imperious gold grubbers—men of the old school who thought California was good only for the gold to be torn from her hills—and the desperate ranchers of the valleys who were being buried under millions

The Hell-roarin' Forty-niners

of cubic yards of water-washed gravel from the higher diggin's.

However utilitarian the Sawyer Decision, yet did it tear the glowing robes from Romance. For thirty-six years, since '48, that gorgeous golden dame had ruled her stage amid the blue peaks and pine stippled gorges of the Sierras, had moved her manikins across it in dizzying schemes to snare the imagination of the whole world. She had given the cue for the migration of a whole people across the Plains and overseas from strange lands; had contrived the upbuilding of Law and a State through most prank-some indirection and . . .

But here was the end of the Adventure.

Not that digging for gold ceased at the word of a Circuit Judge of California. The deep mines in Grass Valley, in Nevada City and along the Mother Lode to the south continued, and do continue to this day, boring into the viscera of the mountains and producing great riches. But mining for placer gold, for gold, that is, which lies free in ancient river channels, was driven underground. Only the richest leads made it worth while to run a tunnel into the heart of a mountain which, before the Sawyer Decision, could be rent asunder by water if its vitals paid only fifty cents a cubic yard. Gravel mines, as these properties are called in mining lingo, are operated to-day; but they are few and their working is sporadic.

So, with the harsh word of the Law saying them

Ghost Towns

nay, one by one the big hydraulic companies throughout the Northern Mines began to close down. The traveler over old gold trails sees these great white slashes through the mountains, all along a north-and-south-running line marking the tracing of prehistoric river channels; he sees these slashes like prints of a Cyclops snowshoeing over the green snow of the mountains' verdure, and wonders that puny man ever armed himself with such terrific eroding tools. The world never has seen their like.

And in the heels of these giant snowshoe tracks lie the little ghost towns.

Towns where lizards and coyotes are the only things stirring. Towns where a remnant of Old Timers or their lackadaisical children still cling, held there either by bonds of memories or by sheer inertia. Towns of three, of a dozen, of twenty. Towns where there are no children.

Galena Hill is one of these. Galena Hill, a name only; a memory.

Strike off the highway running by Camptonville—mind you, this is twenty miles from a railroad and thrice that distance from a veritable city—and you tool your car along the dimmest of wheel tracks over pine needles. Past a starveling ranch and on deeper into the forest. Up a sharp grade and you will be dumfounded to see apple and pear trees spotted through the second growth hemlock and madrone; if it happen to be autumn, the red stars of the apples

The Hell-roarin' Forty-niners

glow through the greenery like glass balls on a Christmas tree. Gnarled old veterans who have known neither plow nor pruning hook in forty years; yet how bravely they live!

These hermit orchard trees alone must tell you of your arrival at Galena Hill, for there is no more vocal announcer. Not a house set back of the long red scar of the hydraulic diggin's. Not one stone upon another to mark the place where a thousand miners worked furiously by day and played furiously by night in fandango and gambling hell. Whistle of a mountain quail smashes silence.

Walk up a sharp hillside through aisles of second growth sugar pine, already sturdy giants, and when you've gained the top you'll see four white shapes ghostly in the forest gloom. These are marble tombstones; these four, and there is a fifth of wood so weathered that its inscription is illegible. Five tombstones the last tie between the life that was here seventy years ago and the uncaring present.

Three of the stones are grouped together. A mother and her two sons were laid here side by side. At the foot of the mother's stone a Sevres vase of white and gold lies on its side, broken. You wonder how many weights of winter's snow and what number of long summer days have passed over that vase since last it held memorial flowers.

One of the stones recites that Benjamin Ellis Garnett lies here, "Killed in the Diggings, June 22, 1854." His age was twenty-two. And if you look

Ghost Towns

closely, brushing up on your forgotten Greek and Latin, you'll discover that two of the stones perpetuate the fumbling classical endeavors of their cutter—or was it the blunder of some ministering school-teacher or parson? On the headstone of the son who was killed in the diggin's is graven this line: *Requiem, Requiem Eternal Eureka*—Latin, English, Greek. When, presumably, the same stonecutter was called upon to make a memorial for the mother he played safe with a free translation: "Rest, Rest Eternal I Have Found."

Wonder what horny-handed sluicer of Galena Hill was competent to correct that stonecutter?

In '57 Lazarus Beard, from Beardstown, Kentucky, struck a rich gravel lead in the red hills near Greenhorn Creek south of Nevada City. First thing Lazarus did after locating his claim and while he was waiting for his new camp to grow, was to build him a ten-by-ten board shack, lay in a stock of hard stuff and take time off to boast about his new town that was to be. With the speed of a Los Angeles subdivision the new camp mushroomed over the flats; Lazarus Beard's high talk was justified.

But to find a name for the fresh diggin's which would put out the eye of near-by Walloupa and Red Dog, jealous of any rivals . . .

It happened that two of Lazarus' friends, Bill King and Jim Toddkill, both of Walloupa, were confirmed moochers of drinks—"bar flies" used to be

The Hell-roarin' Forty-niners

the word before padlocks began to be put to strange uses. Knowing Lazarus' inordinate pride in his new camp, they were wont to approach him on his blind side by sifting over to his bar and discussing with him a name for the golden baby. Lazarus always set up the drinks during the resultant arguments over the christening. The deep ones from Walloupa, knowing their Kentucky friend to be of a contentious mind, always suggested names they reckoned sure of veto; the more vetoes, the more free drinks.

One day, so the legend has it, the Walloupa grifters seized upon Lazarus' favorite ejaculation. "Why not name her You Bet?" To their great mortification Lazarus Beard leaped at the suggestion, and You Bet she was. Water was led down from the upper reaches of Greenhorn Creek, cast iron pipes of the hydraulickers spider-webbed through the underbrush and the roar of monitors soon bellowed abroad the fame of You Bet. With similar gougings being made at the rival camps and by Dutch Flat miners working farther south, there grew into being that great white scar the westering traveler glimpses from the window of his Pullman just after dropping down from the flag station named Gold Run—a scoop through the mountains running off into dim distance.

Threading out of Nevada City in your light car to-day, you'll find an automobile association has made a handsome gesture by posting at a crossroads



MAIN STREET IN A GHOST TOWN OF THE NORTHERN MINES.



OLD STAGE HOUSE IN THE GHOST
TOWN OF NORTH SAN JUAN.



"KILLED IN THE DIGGINGS,"
JUNE 22, 1854.

Ghost Towns

a yellow sign saying that Red Dog and You Bet are such and such a number of miles distant. You plow through red dust. You climb stiff grades. You risk quicksands where the thread of the Greenhorn meanders through a wide flat of hydraulic-choked sand and cobbles. But there is no yellow sign telling you when you've come to historic You Bet or its rival Red Dog. Aye, there in a stark white pit are certain sections of corroded pipe and a great rusted pipe gate like some mummied monster lying amid boulders; you can see on the brink of the man-made chasm the ruins of a penstock which once regulated the downward chute of rending streams. But that cannot be all there's left of You Bet. . . .

Yes, but it is; unless you discount a lone house under spreading fig trees quite a distance back from the diggin's: the house of a cattle herder. And for Red Dog there's not so much as one house left. All lapsed back into the silence and with the stealing balms of the pine woods working to heal the great scars furious men once made.

Not long ago a San Francisco paper carried a little item:

A child had been born at You Bet—first birth there in thirty-five years. It must have been in the house of the cattle herder.

Some towns are not quite so extinct as these I have cited. There is North Bloomfield standing

The Hell-roarin' Forty-niners

a little back from the fearsome 600-foot cut of the Malakoff Mine over on the ridge between south fork and middle fork of the Yuba. But here I am going to violate a canon of the craft and intrude, without apology, an episode involving personal experience.

In Grass Valley lives a physician and surgeon, a man of ox strength and a sympathy for suffering always a little greater, even, than that physical stamina. He is a healer over an up-and-down district big as the State of Rhode Island. Days and nights see him whizzing in his high-powered car over roads which would paint gray in the hair of the average auto driver. He knows the alleys of the mountains as you know the dark halls of your own home.

One night during a dinner at this doctor's home, a long distance call came to him from away up under the very eaves troughs of the Sierras where a great piece of construction work was being done for an irrigation company. An eleven-year-old boy, said the whisper over forty miles of wire, had fallen out of a tree and suffered a compound fracture of an arm. The parents were starting down with him to the doctor's Grass Valley hospital; but could the doctor meet them halfway and do something to ease the little chap's pain? Dr. Carl named North Bloomfield for a meeting place.

I rode with him. Smash through the night and down grades that had my spine tingling—grades where the moon mercilessly showed the pitch-off into nothingness. In less than two hours we came to

Ghost Towns

a shadowy street—I guessed it was a street only because moonlight touched up gables ghostily. There two waiting eyes of light moved slowly forward to meet ours: the car from Bowman's Dam; within it a man who'd driven down from the 6000 foot level and his wife holding a suffering child.

At Dr. Carl's bidding the driver from Bowman's turned his car to direct its headlights on the porch of a building with the sign Post Office nailed on its sway-backed wooden awning. The Doctor added his powerful headlight glare to the spot. Then, on blankets spread there on the Post Office porch, he anæsthetized the little sufferer and put the tortured arm in a plaster cast pending more careful treatment at the hospital back in Grass Valley.

That silent ghostly street with its huddle of buildings yawing on their underpinnings like aged drunkards—a high spot of light on warped porch boards showing a big man in shirt sleeves bending tenderly over a fretfully tossing child—a woman who shuddered and stopped her ears. . . .

And the twenty people of North Bloomfield did not even know strangers were in town.

To go to Moore's Flat you drive on beyond North Bloomfield to the high hogback where once the stages rolled on their way to Henness Pass and Virginia City away over yonder in Nevada. Then a one-way road—if you care to dignify two faint wheel tracks by that title—leading through miles of burnt

The Hell-roarin' Forty-niners

forest: dreadful white skeletons standing rank on rank. At last a rickety bridge over Bloody Run, which took its name by virtue of the greater than ordinary number of murders once committed along its course. So, suddenly, the characteristic abandoned orchard of brave old fruit trees, a house—another house in the distance—end of the road and—Moore's Flat.

Once five thousand lived here and in the neighbor camps of Orleans Flat, Illinois Flat, Blue Diggin's and Chinee Flat—five towns in one, strung out along the brink of the great hydraulic cut whose walls rise 700 feet clear from the bed rock floor. Stages running from camp to camp; race track where sports from Brandy City and Downieville used to match their high-steppers; hotels, express offices, dance halls for the hurdy-gurdy gals, saloons. . . .

Once five thousand; now—three.

"Thar's whar she uster stand—Moore's Flat." Old Billy Meyer, one of the faithful three, pauses on the brink of a man-made precipice and waves his arm out over space to point the site of a vanished town. "They moved all the camps back two-three times as the diggin's widened; an' when they quit movin' a fire come along an' done the rest.

"But, sir, twelve million dollars taken outa this hole in the mountings. Primest gold camp in the Sy-eras before she shut down." This the thin ghost of old Billy Meyer's civic pride.

His sweeping arm encompasses a Grand Canyon

Ghost Towns

in miniature, this four-mile slash through the mountains with its water-worn turrets and walls mineral streaked blue and ocher and cinnabar; channeled, too, from the steel strokes of the water probes. You who stand beside Billy Meyer are standing over gold; wherever you walk you walk over gold. Because the hand of Judge Sawyer stayed these vanished gold rooters long before they'd cleaned out the whole of a Neocene river bed.

Five minutes' walk away from the great pit, through a tangle of young spruce and dogwood, and of a sudden the solid brick front of a store building lifts above the thicket. Porch gone, roof going; but the thick red walls with their closed iron shutters over windows offer an air of startling substantiality here in a wilderness of undergrowth. Haggerty, the merchant who built and stocked this emporium sixty years ago, had faith in the permanency of Moore's Flat which—alack!—suffered the limitations of all human hopes. His store has outlived the town by twenty years.

By candlelight—the candles taken from stock—one follows Billy Meyer through unlocked iron doors into a gloom made eerily vibrant by the shades of one-time customers. Haggerty's store has been closed to a purchasing public twenty years, for the reason that during that time there has been no purchasing public worth catering to within twenty miles.

Yet even to-day certain stocks lie on the shelves

The Hell-roarin' Forty-niners

because the Haggerty heirs did not consider them worth moving when business died with the town. By candlelight you see box upon box of paper collars and paper dickeys—"bald-faced shirts" was the miners' synonym for the latter—which were the mode when the dandies of the diggin's slicked their scalp locks with bear's oil and went to whirl the hurdy-gurdies of a Saturday night at four bits the whirl. Lamp chimneys, plain and fancy, and kerosene glass lamps. Boxes marked "Rock Bottom Pants." Boxes with haberdashers' labels dated in the Seventies. Pick handles and grindstones. These commodities remain in Haggerty's store and with no lock on the old iron doors.

Look in the drawers of the office desks. There are day books and tags from Langton's Express and accounts with men who have been in their graves these forty years.

Even more significant of the final collapse of Moore's Flat's hopes is the pile of school desks against the store's rear walls. Manzanita grows rank where the school used to stand. Not a scholar from Bloody Run to middle fork of Yuba. No children left. . . .

Once when I visited Moore's Flat I picked up at North Bloomfield a San Francisco policeman who'd been born in the Flat and was wishful to make a sentimental return journey thither. He stood in front of this pile of school desks and showed more sentiment than I would have expected to find in a policeman.

Ghost Towns

Law books of the last justice of the peace to hold jurisdiction over Moore's Flat are strewn on a counter. When the camp's five thousand dwindled to as many hundreds—to a score, and the contentions of litigious men were succeeded by the healing balsam winds of new-grown spruce, Mr. Justice of the Peace left the tools of his trade with Haggerty against a possible happy revival of mayhems and felonious assaults. Now the only quarreling done in the ghost town is exclusively in the hands of crested jays.

Billy Meyer strikes a new trail through the chaparral, pausing to point into the green heart of thickets: "Thar's where the hotel uster stand" and "We be standin' right in front of the Fashion Stables now." Suddenly, in the darkest ingile of the wildwood, a great old-fashioned safe looms above plum bushes, its door yawning open. A second-growth spruce, a foot through, rears inches away from the safe's back.

"An' thar's the bank—all thet's left of it. Last year they's a family of woodpeckers nested inside it. He—hey!" Billy cackles dryly. "Tell you a good one 'bout thet safe."

Then an anecdote having to do with this "bank" rising so nakedly out of the scrub:

"Thirty-forty years ago Ole Man Mayberry has a rich gravel mine over on Bloody Run. Folks said he's taken out high as \$40,000, which he's cached somewheres about his cabin, he bein' sorta miserlike. One night some robbers busted in on Ole Man May-

The Hell-roarin' Forty-niners

berry an' held him onto his own cookstove to make him tell whar his gold's hid. Held him thar too long. He died on 'em—'thout tellin' nothin'.

"Twenty years later a queer bird who says he's a perfessor at some college in Pennsylvania, or Philadelphia—high-toned whiskers an' gold bands onto his specs—comes here to Moore's Flat an' says he's heir to Ole Man Mayberry; an' where can he find the bank, because he's sure they's a will or a piece of writin' thar tellin' him whar to look fer the Mayberry treasure.

"I take this perfessor up here an' show him the safe—the door was rusted shut then. 'Thar's yore bank,' says I; 'but, mister, they ain't 'ary thing into it.'

"Well, sir, that Pennsylvania man sets me down fer a liar an' asks me has I got a chisel an' hammer. Which I fetches fer him right cheerful. Then I spends me a right pleasant afternoon a' settin' with my back agin that madrone tree yander an' watchin' Mister Perfessor sweat hisself."

"How do people live in these dying old towns?" I hear you ask. From the ultrasophisticated city dweller in his six-rooms-and-bath: "How *can* they live?"

Sweetly, I reply. Theirs the pleasant places of the mountains for a background to life, the mountains' peace. Clean, scent-laden airs. Companionship of the trees and the wild things—yes, there *are*

Ghost Towns

men, Mr. Madison Avenue, who cherish such companionships. Say, too, theirs is the possession of nerves unstrained by the stress and the fighting that puts the tempo on life in great cities.

"No pep—no imagination?" say you. Absolutely right! Who may say they're not lucky?

But, specifically, here is the way life is found in the sleeping country of old gold memories: For the younger men who do not go down to the valleys and their towns there is the Forest Service, a service rendered almost with devotional loyalty by those who follow it; there are the little bands of cattle to herd through silent mountain meadows, small hay farms, fruit ranches. A living.

For the oldsters, the Old Timers who remember how it feels to have a throbbing steel hydraulic nozzle under their hands, there is undying hope that their country is going to "come back"; that they'll live to go once more down into the hydraulic pits and work with slashing water jets. Why, God bless you! didn't the California Legislature of 1927 defeat by but a single vote a bill to permit the resumption of hydraulic mining under certain strict conditions of restraining débris by high dams across water courses? Who knows but some day that law will pass? And then watch the old gold country wake up!

The mining fever still holds all of the old tads who are able to get around. Many have their little gopher holes in some secret cañon of the mountains,

The Hell-roarin' Forty-niners

to which they repair to do timbering and other assessment work in the dry summer and to wash out enough gold to keep them in their simple wants the year round when winter rains bring high water. Pick at random any six members of Downieville's Sunshine Club—old babies who have their initials carved on their chairs before the St. Charles House—search them, and I'll wager you'll find every man jack of them has his pet nugget pocket piece.

They are inveterate prospectors, these old fellows. No joy so sweet as to pack up the little mule with "eatments" and blankets, rope, a gold pan, a pick and shovel on the pile, and set off for the high places to pry and putter around a thousand secret nooks for the yellow dust that has hardened in their very arteries. Once I met such a runaway Peter Pan on the road to Goodyear's Bar. He walked with a springy step which belied his sweeping gray beard. And well he might; he'd half-soled his boots with a double section of automobile inner tube, and he carried a spare with which to replenish this ingenious cobbling.

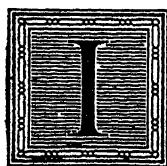
"Daw-gone 'em, they just will go gold huntin'," says Billy Meek of Camptonville. "Then when they eat themselves out they come to my store for a grub-stake. Like as if I was a charity board for the whole durned Sy-eras."

Which this grand old patriarch Billy Meek just is.

Album of Portraits

Chapter 17

ALBUM OF PORTRAITS



IN preparation of this book the writer had introduction to a host of ghostly records and first sources: attic-bound diaries written in green and purple inks; dusty files of old newspapers hidden in out-of-the-way places; scrapbooks long sepulchered in trunks; volumes of reminiscences years out of print. In one instance a kindly disposed Old Timer armed with an electric torch rummaged through barrels of rubbish in the cellar of a store closed thirty years, to bring to light—a jewel! To these records were added stories told by a few very old men who could remember and—here the limitation was even stricter—who were willing to talk.

As the picture grew, hints of personalities stood out. An ancient sunning himself on the wooden sidewalk of Downieville's twisting business street might drone, "'Jever heerd tell o' Reelfoot Williams th' outlaw?—No?—Well, I sorta disremember th' facts onto him myself; but you dig up Billy Meek down to Camptonville. He remembers all that stuff 'bout th' Big Days." And Billy Meek, haply come upon days or weeks later, hearing the name Reelfoot Williams, would close his eyes against the smoke

The Hell-roarin' Forty-niners

from his alfalfa cigar and intone the saga of Downieville's first bad man.

Or a paragraph found in the yellowed print columns of *The Mountain Messenger* for a day in July, 1858, would say that old Blewberry Jones of Sierra City had busted the world's record for ground-and-lofty cussin' once more when his bull team mired down in Slug Canyon. Presto!—a paragraph come upon in a local history long out of print and wholly forgotten, giving in a few magic words plans and specifications of Blewberry's virtuosity as a cusser.

A fine savor of days long gone still lingers about this personalia; a certain raciness typical of the times. Episodic though this material is, yet does it contain a warmly human essence: spice of humor, salt of sincerity, zest for life defying time and change. It occurs to me that even as I turned the pages of old scrapbooks in quest of material, now the reader may do the same. Count this chapter a scrapbook—or better, an album of quizzical portraits from the Days of Gold; with what the printers call a "turned rule" the equivalent for a turned page.

How Reelfoot Williams came by his name remains behind the veil of Time. Perhaps he hailed originally from the Reelfoot Swamp district of Tennessee; perhaps some peculiarity of his gait earned him the name. Contrary to Bret Harte's idealized portraits of the professional gambler of the gold

Album of Portraits

diggin's—the lily-fingered, the exquisitely ruffed—Reelfoot was a curly mustang of the mountings who'd never been curried above the knees; and he wanted everybody to be aware of that fact. Huge, gross, loud swearing, he came to Downieville in the year of '50 and started a monte-and-poker shack on Durgan's Flat. He soon made himself a special abomination when the suspicion grew that if anybody was lucky enough to get away from Reelfoot's tables with some winning pokes of gold dust his luck did not hold as far as his cabin. He was robbed at the point of a long navy revolver somewhere along the trail.

One of the live and honest sports of the roaring camp was Chap Schaffer who, besides being an inveterate gambler at other men's games, was the local justice of the peace. Credit it to the memory of Judge Schaffer that the law sat him lightly; more than once he adjourned court when he heard the stakes were running high in Reelfoot's poker game and bought himself into the massacre.

Perhaps Judge Schaffer felt some slight degree of embarrassment when, on a day in '51, he saw Reelfoot Williams standing, a prisoner, before the up-ended brandy barrel which was Chap's bar of justice. The charge against the big gambler was highway robbery; the complaining witness a German from Kanaka Creek who'd been held up on the trail after quitting Reelfoot's game a winner. Judge Schaffer gave the prisoner a square deal—perhaps a little

The Hell-roarin' Forty-niners

more than square. Reelfoot was acquitted. But the temper of Downieville was riled, and the big card riffler was advised that a change of scene would be his best—practically his only—life insurance.

Day after the acquittal Judge Schaffer had private business calling him over the trail to Slug Creek diggin's. Midway between the two camps a big masked bully stepped out of the brush and gave Judge Schaffer the come-across sign with an interesting gesture of his revolver. The robber peered once under the floppy black hat of his victim, then gave a grim laugh.

"I pass, Judge!" said Reelfoot. "After what you done for me yesterday I can't take a cent off'n you—even if you had it; which I misdoubt, you bein' Downieville's worst poker player."

Chap Schaffer, recognizing his benefactor, was thanking him cordially when the highwayman interrupted.

"Do me a favor, Judge, an' hit the trail—hard! There's another feller coming up round the bend and I gotta tap him for a stake to git outa the country on."

The worthy justice of the peace hit the trail and never looked back to have his judicial eye shocked by a heinous crime against property. Reelfoot tapped the second trail farer for seven hundred dollars and got out of the country. He left behind him at least one admirer, Judge Chap Schaffer.

But Reelfoot did not mend his ways. Instead, he

Album of Portraits

compounded his native instinct for crime by tying in with one Rattlesnake Dick and three other journeymen robbers, the five of them making a tidy little band of cutthroats. They operated over all the trails from Quincy, in Plumas County, as far south as Nevada City and with occasional forays away down to the Mokulumne and Stanislaus diggin's. And that incident of the holdup of Judge Schaffer was Reelfoot's single shining deed of chivalry. When three of the gang were blotted out in a battle with a sheriff's posse near Forbestown, Yuba County, and after Rattlesnake Dick had been stabbed to death in a knife duel over a woman, Reelfoot went into temporary retirement as a gambler at Sacramento.

But with the Virginia City boom, the call to the open road was too compelling. Our highwayman put himself at the head of a gang operating about the new silver fields of Nevada and flourished for a year. A rival finally poked a gun through a saloon window in Virginia and transferred the scene of Reelfoot's activities to the slag piles of hell.

Another justice of the peace entitled to long delayed posthumous recognition is Hizzonor Zeke Dougherty, who adorned the bench of Nevada City when that bench was a board laid between two brandy kegs in James Fitz-James Bourbon Library—"every volume equipped with a cork."

Uncle Zeke, as he was called in the big camp's warm affection, knew no more law than a rabbit and

The Hell-roarin' Forty-niners

freely confessed that qualification for elevation to judicial office. His stock in trade was a Bible, for witnesses to kiss; and a lot of horse sense, plus the full confidence of the community.

Once Uncle Zeke sat in the trial of a man charged with being a horse thief. The evidence of the prosecution was damning. A beardless young lawyer was trying to do his best for the defendant, but made hard going of it. Finally: "Now if Your Honor please, I shall introduce several witnesses to prove this defendant's good character."

Uncle Zeke's little squirrel-tail beard stiffened upward. His eyes snapped.

"What th' hell's the use of your tryin' to prove this man's good character when it's already proved he's a dam'd horse thief?"

Judge Dougherty held all lawyers in low esteem, especially the long-winded pleader. In one case before him a pompous Southerner noted for his unending harangues appeared as counsel for the defense. The little justice fidgeted on his hard bench during all the taking of testimony, dreading the inevitable summing up he knew to be in the offing. Finally the fatal moment arrived. The Southern word bender got to his feet, settled his stock, ran a dramatic hand through his high roach of hair and began: "Your Honor knows it is the presumption of the law that a defendant is innocent until proven guilty beyond the peradventure of a doubt——"

"Yep," Uncle Zeke interrupted from the bench.

Album of Portraits

"An' they's another all-fired good presumption of the law, which is that no justice of the peace is by nature bottomed with cast iron. You trot right ahead with yore speech; but me, I'm goin' across the street an' catch me my afternoon's bitters."

It was before this same redoubtable justice that a priceless bit of pleading was made. Two miners, partners, had had a falling out which resulted in some plain and fancy mayhem being indulged. One of the erstwhile partners, with his ear partially sewed back onto his head, appeared before Judge Dougherty as complaining witness. He was an uncouth southern Indiana man with an Ohio river bottom dialect. Defendant went by the name of Yazoo; he called himself a Mississippi Gentleman.

"Y'anner," quoth Yazoo in his defense, "I sho' wanted to git along with my li'l' podner Yant. I didn't find fault none when he made me cut the wood an' do the cookin' an' wash the dishes day in an' day out. I even stood fer his drinkin' all the whisky, Y'anner, an' swearin' I done it."

"Me, I'm that gentle minded an' ca'm, I let him put mustard on his watermelon an' sugar on his beans an' m'lasses on his pork. But, bein' raised up gentle like I was an' with regard fer the English language, when this li'l' feller called it '*them*' m'lasses that was jist too much."

A blood brother and contemporary of Judge Dougherty, the Hon. John Martin Duffy, was so

The Hell-roarin' Forty-niners

wise a justice of the peace that a song was written about one of his legal decisions. Not even the great Marshall can claim such an honor.

Whatever this ballad may lack in the matter of rime scheme and metrical excellence, it cannot be denied that the Spartan theme assures Judge Duffy's fame.

John Martin Duffy was judge of a court
In a small risin' town in the West.
He didn't know much of the rules of the Law;
But as Judge he was one of the best.

One night in the winter a murder occurred,
And the blacksmith was charged with the crime.
It was then that the Judge in his pulpit so grand,
Quickly he settled that crime.

"I move we discharge him; we need him in town."
And then came the words that made Duffy's re-
nown:

"We have two Chinese washeemen, everyone knows;
Sure, we'll save the poor blacksmith and hang
one of those."

Not more than a dozen years ago "Plate" Watson went over the Divide, leaving behind him an ever-fragrant memory among the dwindling number of Old Timers. Whenever two or three of these are hunkered down in the red dust of some little ghost town along the south fork of Feather or the north prong of Yuba and pipes are drawing, one of the

Album of Portraits

ancients is bound to lay a forget-me-not at the shrine of good old Plate.

Born in the gold camps, was Plate. Grew up there. The sap and sinew of him were drawn from gravel bar and quartz outcropping. When the big hydraulic diggin's were booming, Plate was a monitor man in the pits, and the monitor man was king there. When a federal court decision put all the hydraulic mines out of business, Plate got him a couple of little gravel mines up by Salmon Lake and petered along somehow. He was a mining man; he wouldn't be anything else.

But the years began to weigh on Plate Watson. Rheumatiz stung him, what with his dabbling round in water-filled tunnels year after year. His once tall frame began to stoop, and he carried his head hunched away out like an old jaybird's. Just about the time the rest of the boys were beginning to get right smart worried about Plate he sifted into Quincy and said he was through with the mining business—plumb through!

Plate took all his money out of the bank and bought him a restaurant there in Quincy. Said he thought the restaurant business ought to be good as any—better than mining, anyway. So he laid himself out for new tablecloths, new dishes and fixin's. Then gave a grand opening.

All the old boys sifted in from the mountains to be guests of Plate. They came frowzy and natural-like—nigh. onto fifty of 'em. And Plate's Chineese

The Hell-roarin' Forty-niners

cook sure did the handsome on the eats line. Plate allowed he didn't know much about cooking and he'd leave that up to the Chink; but he guessed he knew quite a sight about drinks. None of his guests was going to say Plate Watson was tight with his red lick. No, siree!

Well, that was a grand opening, all right—that free feed in Plate's new short-order house. So grand that most of the boys slept right there; on the tables and under 'em. Including Plate.

Come morning and Plate is the first awake. Not feeling any too prime, either. Feeling downright rotten, to tell truth about it. He sees all those old tads sleeping around between piles of dirty plates. Stacks and cords of dirty plates, all gummed up with left-overs from last night's big feed. Dirty plates everywhere.

He goes out into the kitchen to call the Chink to come and commence washing up—finds the Chink's quit him cold. He comes back and looks at that terrible slather of dirty plates once more.

"Aw hell!" says Plate; "I don't see much in this restaurant business, nohow."

So he pitches every last one of those dirty plates out the back window onto a rock pile and goes back to his little old gravel mine up on Dead Man Mountain. That's how Plate Watson got the name he carried to the cemetery.

On the road leading from Nevada City to North

Album of Portraits

Bloomfield and the great Malakoff hydraulic mine are several interesting monuments to the enterprise of one of the most engaging characters in the latter-day annals of the Days of Gold. These are neat prospect holes drilled in the shale of the cut bank flanking the road where it climbs the cañon wall of Yuba's south fork; the old stage road from Nevada City to the ridge towns.

Call the author of these prospect holes Professor Henry Clay Simpson, "last of the miners."

Thirty years ago Professor Simpson—the title was generally accepted on his say-so—was an off-and-on resident of Grass Valley. He was by way of being a phrenologist, an inventor, a miner and a promoter. A very tall man, stooped, and with his gray hair worn in ringlets under his old style miner's hat of black felt, Professor Simpson was an eye-filling picture. He consciously added certain artistic touches to his ensemble: miner's boots with his trousers legs tucked into the tops, a "Prince Albert" with wide velvet collar such as was the mode in the dressy Sixties, a hard glazed "dickey" with a single gold stud in its middle.

Professor Henry Clay Simpson called himself "the last of the miners," implying by that qualification the last of miners of whom Bret Harte wrote so fancifully. When he breezed into the San Francisco Mining Exchange on a little mission of promotion a lot of people were impressed by his stage setting; which was, doubtless, one good rea-

The Hell-roarin' Forty-niners

son for Professor Simpson's dressing that way.

When the phrenology business was not looking up, Professor Simpson worked on his invention. This was, strangely enough, a perpetual motion machine. Middle-aged men of Grass Valley can recall from their boyhood, the picture of Professor Simpson with his coat tails spread neatly over the edge of a horse block on Mill Street, gravely demonstrating to a crowd of temporarily exempt bar-flies how the little marble would run and run—indefinitely. The Professor was not averse to selling stock in his marvelous machine; but nobody recalls that he ever did. At least, not in Grass Valley.

When phrenology and perpetual motion both were in the doldrums, Professor Simpson turned to his best love—mining. He used to go out on the North Bloomfield pike with his old wagon and tent and camp in a spot convenient to his operations. Then, apparently at random, he'd select some spot in the shale cut wall along the pike's upward climb out of the cañon and run his little tunnel. Always very neat, very workmanlike, those tunnels. You can see to-day how well they were made.

But none of them tapped gold bearing ledges for the reason there was no such formation in the vicinity. And nobody knew that better than Professor Simpson.

Was he crazy, you ask? Not perceptibly.

For with the completion of each ten-or-fifteen-foot tunnel Professor Simpson gravely registered his

Album of Portraits

"claim," then went down to the San Francisco Mining Exchange arrayed like Tennessee's Partner and there found a purchaser for a fortieth or a sixteenth "interest." Never sold the whole "mine"; just a fortieth or a sixteenth—some fractional part which would leave him in full control.

Grass Valley folk do not recall that the Professor ever got into trouble with his investors. They do not like to believe, even, that Professor Simpson was a conscious fraud. He was, they say, too guileless to be that. Yes, too guileless. . . .

Her name might have been Madame Lecompte; at least, that will do. Names did not weigh heavily in the Days of Gold. It was a social convention—more than a convention, an unwritten law—that names given were names accepted by the community; and it was neither politic nor good manners to seek to go behind them.

She was a full-bodied woman in her late thirties, of a brunette beauty decidedly striking, what with her ebony hair primly parted in the Victorian style and falling in two full raven's wings to conceal her ears; what, too, with the curious and exotic ornaments of coral she used to wear at her throat to emphasize the dazzling whiteness of shoulders which she always permitted to be tantalizingly revealed. Her upper lip, over a very full curve of red, supported the shadow of a moustache. Crude fellows of the diggin's had a superstition in those days that

The Hell-roarin' Forty-niners

any woman who sported a moustache was French and, being French, was——

Madame Lecompte was neither.

She was the proprietress of the Florida House, a rest house and tavern for packers and casual travelers on the old Downieville Road which climbed over the mountain from Camptonville to descend the hair-raising grade into Goodyear's Bar. A tough road! Folks making that way were glad enough to come upon the lights of the Florida House just at the tip of the grade leading down in spider webs over nothingness. Bed there, and breakfast. Cheer in the midst of the moanin' pines of the ridge.

Cheer, yes; and sometimes robbery and murder. . . .

But to go back: On the very rare occasions when Madame Lecompte permitted herself to become loquacious under the urge to good fellowship which her own bar induced, she told something about herself. She was born a Florida Creole. She was reared on a plantation with a hundred slaves to leap at the tiniest gesture of the master. Her father had arranged a noble marriage for her with an elderly man who was a United States Senator. But she, the shrinking convent girl, didn't care the least bit for the Senator; so when things came to a show-down she ran off with an Italian organ grinder and his trained monkey!

Picture, if you care to, the Creole girl from Florida with her Italian spouse, his hand organ and

Album of Portraits

the trained monkey; all making their way across the Great Plains to California and El Dorado. Oh yes, the story might have been touched up by the Madame; but as for me, I am inclined to favor the romanic angle: a dazzlingly beautiful Florida Creole with a slight moustache on her arched upper lip, a Neapolitan fellow with rings in his ears, a sad monkey in faded military jacket, all three following the deep wagon ruts through a wilderness. I know of no authentic organ grinder crossing the Great Plains with his monkey, to say nothing of a Creole beauty with a bandeau of coral about her black hair for companion of the twain. So I cast my vote for the Madame's whole story.

When, in the late Sixties, she was the widely known proprietress of the Florida House, the organ grinder and his monkey had been cast in the discard. All Madame Lecompte had to show for that romantic passage was a son about fifteen years old; him and a fine self-reliance calculated to support her in a new and rough land of men. The lady started right in to conform to the easiest way.

Now it happened that, even before she reared the Florida House, the Downieville Road over the high ridge had acquired a certain reputation. There was Nigger Tent. Rumor had it that the barroom of Nigger Tent was built over an abandoned prospect shaft and that bodies of travelers who'd had their throats slit for their gold pokes could be conveniently dropped down that secret pit.

The Hell-roarin' Forty-niners

Florida House was not built over an abandoned shaft. Madame Lecompte counted no such convenience on her property. Still and all, there were several thousand acres of timberland along the ridge where bodies could be adequately concealed; and it was not so messy to have the killings done off the premises.

Florida House began to rival Nigger Tent in the whispering gallery of the countryside.

Not that our big-bosomed Creole ever was a murderess in fact; not she! But Florida House became safe harborage for a tidy gang of killers. Its bar-room was their rendezvous. Let any foolish traveler over the Downieville Road stopping there for the night loosen the strings about his buckskin poke too ostentatiously on the bar; and if the heft of that poke warranted it, he'd not get far away from the Florida House next morning. I have a rough-drawn map sketched by an old-time packer who used to know Madame Lecompte in her prime. The map shows the twistings of the old road up over the ridge past Florida House. It also shows such notations as these: "Pancho murdered here"; "Lone Cabin where Pratt was murdered."

Sweet Madame Lecompte!

Yet did the good Creole lady have her blind side. This same old-time packer—call him Billy—was a boy when the Madame flourished in her seven-thousand-foot high aerie of blood atop the ridge. In the course of his job he delivered supplies to the

Album of Portraits

Florida House. Often the night would close down on him there and Billy would throw the pack-saddles off Hank and Jim, the big Missouri pack mules, give them their fodder and come in to the tavern for his supper and bed.

"Madame Lecompte uster be mighty soft with me 'cause I was just a kid; no older'n her own boy. She had a sorta smoothy way with her—always patting my scalp lock down and sorta snuggling me up to her. I knew her fer a bloody murderess, but I taken things as they come.

"One day I shoved into Florida House with a bill fer one hundred and sixty dollars she owed my boss. Found the Madame behind the bar, with the whole kit an' b'ilin' of her bad men settin' round the tables. I braces the Madame to pay.

" 'Sure's your born, sonny,' says she. And she counts out the sum of the bill in twenty dollar gold pieces. Then, when I tells her I gotta be on my way right smart, she calls to her son who's settin' in a game of backgammon with the head killer---that boy's 'bout my age an' ain't never shaved yet.

" 'Bub,' says the Madame, 'Billy here's ridin' down the road to Camptonville. What say you take your rifle an' ride along a spell with him? Maybe you kin fotch back a mess of squirrels.'

"Now that," concludes Billy, the packer emeritus, "that shows how the old gal looked out fer kids. She pertectin' me agin' her own outlaws until I kin get away with that one hundred and sixty dollars."

The Hell-roarin' Forty-niners

Ex-packer Billy told me that story of the matronly patroness of murderers on a summer day out under the fragrant boughs of drowsing spruce. Months afterward, in a library niche at the University of California, I came upon unexpected verification of at least a part of the picturesque annals of the Creole woman from Florida. It was like meeting an old friend.

J. D. Borthwick, an Englishman, made a swing through the California diggin's in 1851—several years before Billy, my story-teller, was born—and upon his return to London wrote a book about what he had seen. In one passage of that now rare volume Borthwick says:

About halfway up the mountain [on the Downieville Road] at a break in the ascent, I found a very new log cabin by the side of a little stream, on which was painted "The Florida House"; and as it was getting late and the next house was five miles farther on, I took up my quarters there. The house was kept by an Italian. He had a Yankee wife [Score one for the inaccuracy of Mr. Borthwick's observation] with a lot of children; and the style of accommodations was as good as one usually finds in such places.

I was the only guest that night; and as we sat by the fire smoking our pipes after supper my host, who was a cheerful sort of fellow, be-

Album of Portraits

came very communicative. In the course of the evening he asked me if I would like to hear some music, saying that he played a little on the "Italian fiddle." I was very much amused when the "fiddle" turned out to be nothing more or less than a genuine, orthodox hurdy-gurdy. At the first note I had a vision of an unfortunate monkey in a red coat!

Question:—When this cheerful and very communicative mate of Madame Lecompte disappeared from the picture and the Florida House became a murder nest, did the lady with the coral beads and the provocative touch of moustache ever rescue this hurdy-gurdy from retirement and play for her killers some tinkling ballad reminiscent of her days of innocence?

Yankee Jim was the Man of Mystery in the hurly-burly of '49.

Scraps of fact concerning him grew into legend as they passed from camp to camp, acquiring fancy frills and furbelows with every telling. He was the discoverer of the much sought "Source of Gold." He was a bloody murderer. He was hanged for a pirate after seizing a ship at San Pedro, the roadstead near the pueblo of Los Angeles. So flickered the marsh lights of fable about the shaggy head of a wild mountain man. To-day, when even the surviving Old Timers must preface their recitals of the

The Hell-roarin' Forty-niners

Yankee Jim cycle with such qualifications as "I hearn tell when I was a boy," or "My daddy told me this back in the Sixties," the most diligent cross reference limns out a tantalizingly shadowy portrait.

When the cry of Gold! carried down to the mongrel town of Yerba Buena, afterwards San Francisco, in the spring of 1848 and the rush to the wild mountain streams began, one of the frowzy crew of Argonauts was a long, lean State-o'-Mainer. His real name is lost. Only as Yankee Jim did he make his mark on the new white page which was to be crowded with the flaming script of a world adventure.

Probably this Yankee Jim was originally a sailor on one of the trading vessels out of Boston such as Richard Henry Dana shipped on: vessels which used to go back to Boston smelling to high heaven of half cured California hides. Scanty first sources appear to agree in setting him down as a beach comber at the time he joined the trek to the placers.

Nearly all those gold seekers of '48 had neither the courage nor the resources to remain in the Sierras over the first winter; theirs was a frantic summer combing of river sands and then frantic scramble to get back to a sure base of bacon and *frijoles* before the snows of the high places sealed them in a white tomb. Not so with Yankee Jim. He stuck the winter somewhere in the mile-deep gorge of the American River's north fork, on a high brink of which transcontinental trains now pause to give

Album of Portraits

steam heated and plush coddled travelers an awesome view into blue depths. How he did it one cannot guess.

First comers in the spring of '49, pushing up hard upon the line of retreating snows, established a camp at Barnes' Bar; a camp with its store to receive stuffs packed in by mules from Sutter's Fort down-valley. And to this store came a gaunt wild man out of the higher cañon depths, a fellow whose single garment was a threadbare blanket cut into rough coat and trousers and sewed with deer thongs, whose feet were swathed in sacks. He carried an old "yager" rifle and a bowie knife. He craved mostly lead wherewith to mold bullets and plenty of powder; after that he would consider salt pork, beans and a jug or two of red licker.

What little this wild man said was in the thin high whine of the Down-Easter; but when asked whence he came and how he fared, he said nothing. A stubborn glitter in his cold little eyes declared that a winter spent alone in the prison house of the cañon was not going to be wasted by idle chatter.

And he paid for his bill of goods with heavy oblong chunks of gold, not gold grains the size of wheat kernels such as the boys were cradling out of the American's bars. Gold—in chunks!

On the rare occasions this Yankee Jim visited the store at Barnes' Bar he came with the dawn and left after dark. He was too foxy to be followed. Men who saw these great golden pebbles Yankee

The Hell-roarin' Forty-niners

Jim weighed out for his pork and flour promptly went mad. This shaggy old catamount had stumbled onto the Source of Gold, they said; he knew where the yaller stuff laid round like pigs of iron in a foundry yard. If anybody could trail Yankee Jim back to his secret horde, like's not he'd catch himself a bar'l of the stuff in four-five pannings.

So Yankee Jim came to be a hunted man.

One of these hunters was Ben Currier who, with five companions, was working a claim near Barnes' Bar. In November of '49 a rumor came to Currier's ears that Yankee Jim's claim lay on the ridge between the north and middle forks of the American. The six men started out to find that claim. They climbed the wall of the cañon, steep as a steeple, and on the knife ridge of the divide struck a trail leading upward toward the distant saw edge of snow peaks. The first of the winter rains caught the adventurers on this spine of the mountains and they went into a wet camp under cloud-touching spruce and sugar pines; on either side of them abysses dropping down to fearsome depths. Here was wilderness known only to the Indian and the roving grizzly.

During the night—as the tale of one of these six treasure hunters has it—one of them got up from his blankets to replenish the fire. He was just returning to the security of his bed when he saw a moving light on the trail ahead. A light here on this rib of the Sierras high above and away from the diggin's! He roused Ben Currier, and the two of them

Album of Portraits

followed that will-o'-the-wisp spot of lantern glow for miles through the zigzag aisle of mossy tree trunks calipering the narrow stretch of the hogback. Suddenly the guiding light swerved sharply to the right and was lost.

If one cared to be critical of a story seventy-seven years old, doubt could be cast upon this episode of the midnight light on a wild trail. A seasoned mountain man like Yankee Jim would not be one to carry a lantern on a night hike. But we will accept the statement that where Ben Currier and his companion saw the light disappear they made a small monument of stones, then groped their way back to their sleeping camp. Early morning the whole crew of adventurers turned out, and it was well along in the day before the cairn of stones was found. From it man tracks descended a fearsome grade, at the far bottom of which a stream shone like a twisted silver wire.

The footprints led into a box cañon converging upon the wider and deeper one first seen by the trailers. Here was wild and terrible country—it still is to-day—filled with giant boulders and slides of shale where one misstep would serve to pitch a man to his death. So narrow the cañon's breach that only at midday did the sun shine down into its depths. Roar of falling water was a constant thunder.

Rounding a turn in the creek's course, the man hunters saw a fellow in a vivid smoking cap and

The Hell-roarin' Forty-niners

shirt, nothing else, working a rocker on the edge of a little gravel spit. The shirt-tailed one was not Yankee Jim, but the encounter served to add a new name to the rapidly expanding map of the placer diggin's: Shirt-tail Canyon. Before many months had passed a raw camp on this spot adopted that fancy sobriquet.

The two miners located here—the bare-shanked one and a partner from Oregon—told Currier and his companions of a shaggy hermit prospector who had a claim farther up the cañon. They'd seen him once or twice but had given him a wide berth, for he looked dangerous and, moreover, they'd found the picked bones of a man with a bullet hole through his skull not far from the wild man's supposed lair. Currier's companions speedily lost interest in further prosecution of the search for Yankee Jim. They reckoned they'd take up claims right here at Shirt-tail Canyon.

Ben Currier had more guts. He set off alone up the tortuous bed of the river.

After hours of slow going, he was climbing over a cupola of water-worn bowlders when he saw on the cut bank above his head the booted legs of a man protruding from a rude wikiup of bark slabs laid against the trunk of a giant yellow pine: a habitation so scanty that there was not room in it for a pair of extra-long legs. The roar of the stream masked his approach. He kicked one of the protruding feet by way of salutation. Instantly the bark cone

Album of Portraits

flew asunder and the man he'd once seen weighing out little slabs of gold in the store at Barnes' Bar scrambled to his feet—Yankee Jim!

The invader had all the advantage. Yankee Jim's old yager rifle was out of arm reach and Currier's was in his hands at the ready. So handicapped, the shaggy fellow had to admit he was Yankee Jim; and what th' hell did this stranger want, wakin' a man out of a sound sleep thisaway? Currier cut conversational corners; said bluntly he was there to find out where Yankee Jim got his fat gold. Cold little eyes bored through a tangle of whisker to take the measure of this stranger. He who had weathered terrors of winter in this wilderness to keep secure the secret of his gold strike now faced frustration of his miser dreams.

Yankee Jim spoke Currier fair and soft. If Currier would return to the camp his companions had made down river and persuade them to move out of the country, then sneak back alone—"An' fotch back some lead fer my bullet mold"—Yankee Jim would uncover the richest diggin's in Californy; would make Currier his partner.

Currier appeared to accept the shaggy prospector's terms. I wager that the first few hundred yards he made down river, with his back turned to that gaunt fellow with the yager rifle, were the toughest of all the return trip. Perhaps, too, the more he dwelt upon the chances of a happy partnership with Yankee Jim, the larger bulked in his

The Hell-roarin' Forty-niners

imagination the picture of a huddle of picked bones with a bullet hole through the skull. At any rate, storms drove Ben Currier and the whole outfit from their new diggin's in Shirt-tail Canyon, and when they returned following spring Yankee Jim was gone. Where his bark wikiup had stood a new camp sprang up; Yankee Jim's, so named; the bars and river' riffles were rich, but not with those noble chunks of gold the State-o'-Mainer had traded in at the Barnes' Bar store. Not to this day has anyone found their like on the American's north fork.

On September 18, 1852, a tall, gaunt man with wild hair and beard and a Yankee way of speech was hanged by order of an irregular court in the pueblo of Los Angeles for attempting to steal the pilot boat *Plutus* from the roadstead at near-by San Pedro. Folks said the fellow tried, before the vigilantes got him, to secrete a money belt which was filled with oblong slabs of river-worn gold. Must have been Yankee Jim, they said.

THE END

FOOTBALL AND HOW TO WATCH IT

